



BY AUTHORITY.

THE

STATUTES AT LARGE

AND

TREATIES

OF THE

UNITED STATES OF AMERICA,

PASSED AT THE FIRST SESSION OF THE

THIRTY-NINTH CONGRESS;

1865-1866.

Carefully collated with the Originals at Washington.

EDITED BY GEORGE P. SANGER,

COUNSELLOR AT LAW.

TO BE CONTINUED ANNUALLY.

BOSTON:

LITTLE, BROWN, AND COMPANY,

PUBLISHERS OF THE LAWS OF THE UNITED STATES.

1866.

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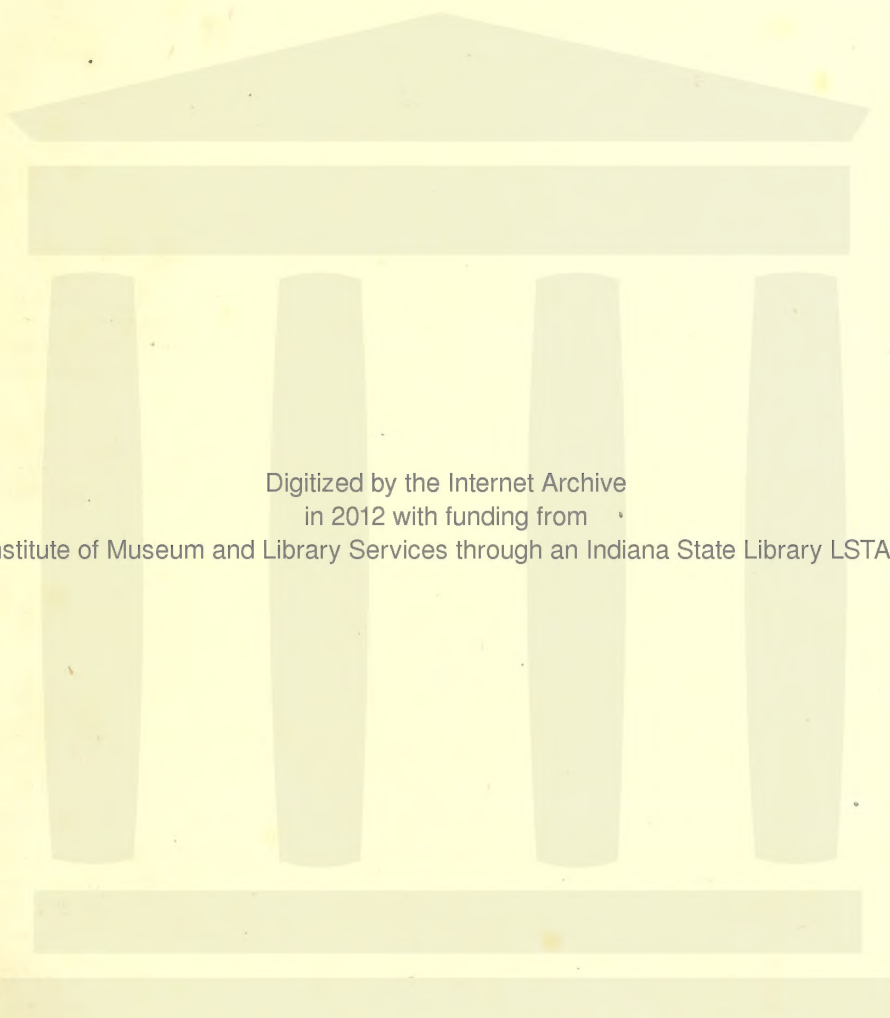
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PUBLIC ACTS OF THE THIRTY-NINTH CONGRESS

OF THE

UNITED STATES,

Passed at the First Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fourth day of December, A. D. 1865, and ended on Saturday, the twenty-eighth day of July, A. D. 1866.

ANDREW JOHNSON, President. LA FAYETTE S. FOSTER, President of the Senate. LA FAYETTE S. FOSTER was elected President of the Senate *pro tempore* on the seventh day of March, and so acted until the end of the Session. SCHUYLER COLFAX, Speaker of the House of Representatives.

CHAP. I.—*An Act to amend an Act entitled “An Act providing for the Selection of Jurors to serve in the several Courts of the District of Columbia.”*

Dec. 18, 1865.

1862, ch. 162.
Vol. x. p. 428.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if at any time it shall occur that all of the names in the box provided for in the fourth section of the act to which this is an amendment shall have been drawn out of the same at any term of the court before the first day of February next ensuing, the court, or any judge thereof, may order the marshal to summon from the body of Washington County twenty-three citizens, having the qualifications of jurors, as provided in said act, to serve as grand jurors, and twenty-six citizens, having such qualifications, to act as petit jurors, or either, as may be needed at any subsequent term of the court to be held between the time of the happening of the contingency aforesaid and the first day of February then next ensuing; and vacancies in either grand or petit jurors so ordered to be summoned as aforesaid may be filled by other persons summoned by the marshal upon the order of the court.

Grand and petit jurors in the District of Columbia, how summoned, when all names have been drawn from box.

Vacancies, how filled.

SEC. 2. *And be it further enacted,* That whereas all the names in the jury-box provided for by the fourth section of the act to which this is an amendment were, at the late term of the supreme court of the District of Columbia, sitting for the trial of crimes and misdemeanors, drawn from said box, the judge assigned to hold the December term of said court for the year eighteen hundred and sixty-five, be, and he is hereby, authorized and empowered to order the marshal to summon from the body of Washington County twenty-three citizens, having the qualifications of jurors, as provided in the act to which this is an amendment, to act as grand jurors for said term of said court, and twenty-six citizens, having such qualifications, to act as petit jurors for said term, and that vacancies in said grand and petit jurors may be filled as provided for in the first section of this act.

Grand and petit jurors for the December Term, 1865, of the Supreme Court of the District of Columbia.

APPROVED, December 18, 1865.

CHAP. II.—*An Act to prevent the Spread of foreign Diseases among the Cattle of the United States.*

Dec. 18, 1865.

See 1866, ch. xii.
Post, p. 3.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the importation of cattle be, and hereby is, prohibited. And it shall be the duty of the Secretary

Importation of cattle prohibited.

Rules and regulations.

of the Treasury to make such regulations as will give this law full and immediate effect, and to send copies of them to the proper officers in this country, and to all officers or agents of the United States in foreign countries.

When cattle may be imported, and this act be of no force.

SEC. 2. *And be it further enacted*, That when the President shall give thirty days' notice, by proclamation, that no further danger is to be apprehended from the spread of foreign infectious or contagious diseases among cattle, this law shall be of no force, and cattle may be imported in the same way as before its passage.

APPROVED, December 18, 1865.

Dec. 19, 1865.

CHAP. III. — *An Act making Appropriation for refurnishing and repairing the President's House.*

Appropriation for refurnishing and repairing the President's house.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars, or so much thereof as shall be necessary, be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for refurnishing the President's house and repairing the same.

APPROVED, December 19, 1865.

January 15, 1866.

CHAP. V. — *An Act authorizing the Secretary of the Treasury to appoint Assistant Assessors of Internal Revenue.*

Assistant assessors of internal revenue appointed by Secretary of Treasury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to appoint any assistant assessors of internal revenue now provided by law.

APPROVED, January 15, 1866.

February 7, 1866.

CHAP. VI. — *An Act making Appropriations for the Payment of invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-seven, and additional Appropriations for the Year ending the thirtieth of June, eighteen hundred and sixty-six.*

Appropriations for pensions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-seven :

Invalid.

For invalid pensions under various acts, five millions five hundred thousand dollars.

Revolutionary pension agents, &c.

1818, ch. 19.
1828, ch. 53.
1832, ch. 126.
1836, ch. 362.
1838, ch. 189.
1843, ch. 102.
1844, ch. 102.
1848, ch. 8, 120.
1853, ch. 41.
1858, ch. 85.
1862, ch. 166.

For revolutionary pensions, and pensions of widows, children, mothers, and sisters of soldiers, as provided for by acts of March eighteenth, eighteen hundred and eighteen; May fifteenth, eighteen hundred and twenty-eight; June seventh, eighteen hundred and thirty-two; July fourth, eighteen hundred and thirty-six; July seventh, eighteen hundred and thirty-eight; March third, eighteen hundred and forty-three; June seventeenth, eighteen hundred and forty-four; February second, July twenty-first, and July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; and July fourteenth, eighteen hundred and sixty-two, and for compensation to pension agents and expenses of agencies, nine millions eight hundred thousand dollars.

Navy pensions.
1848, ch. 155.
1862, ch. 166.

For navy pensions to widows, children, mothers, and sisters, as provided for by acts of August eleventh, eighteen hundred and forty-eight, and July fourteenth, eighteen hundred and sixty-two, one hundred and forty thousand dollars, to be paid out of the navy pension fund.

Deficiency appropriations.

SEC. 2. *And be it further enacted*, That the following [sum] be, and the same is hereby, appropriated to supply a deficiency in the appropriation for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated:

For revolutionary pensions and pensions of widows, children, mothers, and sisters of soldiers as provided for by acts of March eighteen, eighteen hundred and eighteen, May fifteen, eighteen hundred and twenty-eight, June seven, eighteen hundred and thirty-two, July four, eighteen hundred and thirty-six, July seven, eighteen hundred and thirty-eight, March three, eighteen hundred and forty-three, June seven, eighteen hundred and forty-four, February two, July twenty-one, and July twenty-nine, eighteen hundred and forty-eight, February three, eighteen hundred and fifty-three, June three, eighteen hundred and fifty-eight, and July fourteen, eighteen hundred and sixty-two, two millions five hundred thousand dollars.

APPROVED, February 7, 1866.

Pensions.

CHAP. VIII. — *An Act to regulate the Registering of Vessels.*

Feb. 10, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no ship or vessel, which has been recorded or registered as an American vessel, pursuant to law, and which shall have been licensed or otherwise authorized to sail under a foreign flag, and to have the protection of any foreign government during the existence of the rebellion, shall be deemed or registered as an American vessel, or shall have the rights and privileges of American vessels, except under the provisions of an act of Congress authorizing such registry.

Registered American vessels authorized to sail under a foreign flag during the rebellion, not to be deemed &c. American vessels, except &c.

APPROVED, February 10, 1866.

CHAP. IX. — *An Act granting the franking Privilege to Mary Lincoln.*

Feb. 10, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packets carried by post, to and from Mary Lincoln, widow of the late Abraham Lincoln, be conveyed free of postage during her natural life.

Franking privileges granted to Mary Lincoln.

APPROVED, February 10, 1866.

CHAP. X. — *An Act authorizing an Increase of the clerical Force in the Post Office Department.*

Feb. 16, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the clerical force now authorized by law in the Post Office Department, the Postmaster General be, and he is hereby, authorized to appoint and employ four clerks of class one, seven of class two, fourteen of class three, and four of class four; and said clerks shall be paid until the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated.

Clerical force in the Post Office Department may be increased, and how paid.

APPROVED, February 16, 1866.

CHAP. XII. — *An Act to amend an Act entitled "An Act to prevent the Spread of foreign Diseases among the Cattle of the United States," approved December eighteenth, eighteen hundred and sixty-five.*

March 6, 1866.
1866, ch. ii.
Ante, p. 1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to prevent the spread of foreign diseases among the cattle of the United States," approved December eighteenth, eighteen hundred and sixty-five, is hereby amended so as to read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is hereby prohibited: *Provided, however,* That the opera-

Importation of neat cattle and hides thereof, prohibited.

Act suspended
whenever, &c.

tion of this act, or any part thereof, shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this law into effect, or to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

Act may be
made inoperative
by proclamation
of the President,
&c.

SEC. 2. *And be it further enacted*, That the President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States, may, by proclamation, declare the provisions of this act to be inoperative, and the same shall be afterwards inoperative and of no effect from and after thirty days from the date of said proclamation.

Penalty for
violation of this
act.

SEC. 3. *And be it further enacted*, That any person convicted of a wilful violation of any of the provisions of this act shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

APPROVED, March 6, 1866.

March 8, 1866.

CHAP. XIII. — *An Act to quiet the Title to certain Lands within the corporate Limits of the City of San Francisco.*

Right of the
United States in
certain lands in
San Francisco
released to that
city, and the
claim of that city
confirmed, sub-
ject, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right and title of the United States to the land situated within the corporate limits of the city of San Francisco, in the State of California, confirmed to the city of San Francisco by the decree of the circuit court of the United States for the northern district of California, entered on the eighteenth day of May, one thousand eight hundred and sixty-five, be, and the same are hereby, relinquished and granted to the said city of San Francisco and its successors, and the claim of the said city to said land is hereby confirmed, subject, however, to the reservations and exceptions designated in said decree, and upon the following trusts, namely, that all the said land, not heretofore granted to said city, shall be disposed of and conveyed by said city to parties in the bona fide actual possession thereof, by themselves or tenants, on the passage of this act, in such quantities and upon such terms and conditions as the legislature of the State of California may prescribe, except such parcels thereof as may be reserved and set apart by ordinance of said city for public uses: *Provided, however*, That the relinquishment and grant by this act shall not interfere with or prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, whether derived from Spain, Mexico, or the United States, or preclude a judicial examination and adjustment thereof.

Valid adverse
rights not affect-
ed.

APPROVED, March 8, 1866.

March 10, 1866.

CHAP. XV. — *An Act to declare the Meaning of certain Parts of the Internal Revenue Act, approved June thirty, eighteen hundred and sixty-four, and for other purposes.*

1864, ch. 173.
Vol. xiii. p. 223.

In § 120, "Div-
idends in scrip,
&c.," to mean
what.
Vol. xiii. p. 283.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in section one hundred and twenty of the act entitled "An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, the words: "all dividends in scrip, or money thereafter declared due, and

whenever the same shall be payable, to stockholders, policy-holders or depositors," are hereby declared to mean all dividends in scrip or money wherever payable, and all stockholders, policy-holders, depositors, or parties whatsoever, including non-residents, whether citizens or aliens.

SEC. 2. *And be it further enacted*, That in section one hundred and twenty-two of said act the word "stockholders" is hereby declared to mean all persons or parties whatsoever that are or may be stockholders, including non-residents, whether citizens or aliens; and the words "all such interest or coupons, dividends or profits, whenever the same shall be payable," are hereby declared to apply to all such interest or coupons, dividends or profits wherever the same are or may be payable, and to whatsoever party or person the same are or may be payable, including non-residents, whether citizens or aliens.

In § 120, the words "stockholders," and "all such interest, &c.," to mean what.
Vol. xiii. p. 283.

SEC. 3. *And be it further enacted*, That it shall be the duty of all persons required to make returns or lists of income and articles or objects charged with any duty or tax, as provided by the act aforesaid, or any act amendatory thereof, to declare in such returns whether the several rates and amounts therein contained are stated according to their values in legal tender currency; and in case of neglect or refusal so to state, to the satisfaction of the assistant assessor receiving such returns or lists, such assistant assessor is hereby required to make returns or lists for such persons so neglecting or refusing, as in case of persons neglecting or refusing to make the lists or returns required by the acts aforesaid, and to assess the duty thereon, and to add thereto the amount of penalties imposed by law in case of such neglect or refusal.

Persons making returns of income, &c., to declare whether the rates, &c., in such returns are given in legal tender currency.
Penalty for refusal or neglect so to do.

Repealed.
See *Post*, p. 147.

SEC. 4. *And be it further enacted*, That whenever the rates and amounts contained in the lists or returns as aforesaid shall be stated in coined money, it shall be the duty of each assessor receiving the same to reduce such rates and amounts to their equivalent in legal tender currency, according to the value of such coined money in said currency at the time when and place where said lists or returns are receivable, and which value the said assessor shall determine. And the lists required by law to be furnished to collectors by assessors shall in all cases contain the several amounts of taxes or duties assessed, estimated, or valued in legal tender currency only.

Returns stated in coined money to be reduced to equivalent in legal tender currency.

Repealed.
See *Post*, p. 147.

SEC. 5. *And be it further enacted*, That the provisions of this act shall, so far as necessary, apply to all returns, lists, assessments, and collections required by the acts aforesaid in addition to those above mentioned, by whomsoever made, returned, assessed, or collected, in any mode or for any purpose whatever. And the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, is hereby authorized to make all necessary rules and regulations for carrying this act into effect.

This act to apply to all returns, lists, assessments, &c.

Repealed.
See *Post*, p. 147.

Rules and regulations.

APPROVED, March 10, 1866.

CHAP. XVI. — *An Act to establish certain Post Roads.*

March 14, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following be established as post roads:

Post roads established in

CALIFORNIA.

California.

From Rio Vista, via Maine Prairie and Binghampton, to Silveyville.

From Red Bluff, via the Upper Sacramento river, Soda Springs, and Shasta Valley, to Yreka.

From Red Bluff, via Payne's Creek, Mill Creek, and Big Meadows, to Susanville.

From Chico, via Stony Creek and Coast Range, to Nome City.

From Cloverdale, via the Lakeport and Cloverdale Wagon Road, to Lakeport.

Post routes.
Colorado.

COLORADO.

From Central City, via Georgetown, to Argentine.
From Gold Dirt to South Boulder.
From Denver, via Mount Vernon and Idaho, to Empire City.

Dakota.

DAKOTA.

From Fort Wadsworth to Devils Lake.

Indiana.

INDIANA.

From Momence, Illinois, via Beaver Lake Ditch, Stringham's Point, and Pilot Grove, all in Newton county, Indiana, to Adrian, Indiana.
From Fulton, via Millville, to Keenawha.

Iowa.

IOWA.

From Boonsboro' to Panora.
From Winterset, via Quincy, Clarinda, and Marysville, to Savannah, in Missouri.
From Indianola, via Lawrenceburg and Liberty Centre, to Chariton
From Chariton, Lucas county, via Garden Grove, to Leon.
From Marshalltown, via Vienna, Wolf Grove, Fifteen-Mile Grove, and Grundy Centre, to New Hartford.
From Decorah to Hesper, in Winnesheik county.
From West Mitchell, in Mitchell county, by Plymouth and Mason City, to Clear Lake, in Cerro Gordo county.
From Postville, via Lybrand and Ludlow, to Waukon in Alamakee county.

Kansas.

KANSAS.

From Humboldt, Kansas, via Osage, Catholic Mission, and Chetopa, to Fort Gibson,
From Pleasant Hill, Missouri, via Blooming Grove, to Mound City, Kansas.
From Neosha Falls, Kansas, via Belmont, to Syracuse, in Wilson county.
From Fort Scott, via Mill Creek, Dayton, Mapleton, and Blue Mounds, to Garnett, tri-weekly.
From Verdigris Falls, via Virgil, to Pleasant Grove.
From Xenia to Walnut Hills.
From Council Grove to Albilene.
From Neosha Falls, via Mount Airy, to Liberty, in Woodson county.
From Emporia, via Madison, Shell Rock, Pleasant Grove, and Post Oak, to Fort Roe.
From Ottumwa, via Madison, Janesville, Eureka, and Darley's Mills, to Salt Spring.
From Enterprise, via Ottumwa, Sac and Fox Agency, Greenwood, Ottawa, and Paola, to Harrisonville, Missouri.
From Council Grove to Marion Centre.
From Ottawa, via James Carroll's, Jackson Mark's, and Mineral Point, to Burlington.
From Medina, via Oskaloosa, Winchester, and Easton, to Leavenworth.
From Lawrence, via Oskaloosa, to Grasshopper Falls.
From Perryville, (located on the route of the Union Pacific railroad,) via Oskaloosa and Easton, to Leavenworth.

Maine.

MAINE.

From Porter, via North Parsonfield, Parsonfield, and North Newfield, to West Newfield, in York county.

From North Acton, Maine, via Wakefield, to Union, New Hampshire.
 From Woodman's Station, via New Gloucester and West Gloucester,
 to North Raymond, in Cumberland county.
 From Poland to West Poland, in Androscoggin county.

Post routes.

MASSACHUSETTS.

Massachusetts.

From North Falmouth, by Hatchville and East Falmouth, to Waquoit.

MICHIGAN.

Michigan.

From Coopersville to Squire's Ferry.
 From Coopersville, via Mansfield Mills, Ravenna, Slocum's Grove,
 Whitney's Mill, and Moreland, to Squire's Ferry.

MINNESOTA.

Minnesota.

From Paynesville, by Norway Lake, to Six-mile Timber, on Chippe-
 way river.

From Hastings, via Cannon Falls, to Kenyon.

From Saint Cloud to Fort Ripley, on the west bank of the Mississippi
 river.

From Watertown to Glencoe.

From Blue Earth city, Minnesota, to Yankton, Dakota Territory.

From Hutchinson, via Cedar, Greenleaf, Kandigoli, and Irving, to To-
 rah.

From Henderson, by Arlington, New Auburn, Witadan Lake, and
 Fort Wadsworth, in Dakota Territory, to Fort Rice, on Missouri river.

NEBRASKA.

Nebraska.

From West Point, Cumming county, to Rock Creek, in said county,
 ten miles.

From Pawnee City, via Friece's Mills, Nebraska, to Seneca, in Kansas.

From Dakota City, via West Point, to Columbus.

From Brownsville, Nebraska, to Rockport, Missouri.

From Big Sandy, Jones county, to Rose Creek, Nuckolls county.

From Plattsmouth, via Glendale, South Bend, Ashland, Salt Creek,
 Rock Creek, Lancaster, Saline City, Saultillo, Centreville, Olive Branch,
 Clatona, to Beatrice.

From Plattsmouth, via 8 Mile Grove, to Weeping Water.

From Decatur, via Logan Valley, West Point, St. Charles, and Jal-
 apa, to Fremont.

From De Soto, via Arizona, to Decatur.

NEVADA.

Nevada.

From Carson, by way of Ophir, Washoe City, and Steamboat Springs,
 to Huffaker's Ranch, all in Nevada.

From Ione, by way of Canon City, to Austin, all in Nevada.

From Austin to Cortez, in Nevada.

From Austin, by way of Kingston, Twin river, and San Antonio Dis-
 trict, to Silver Peak, all in Nevada.

From Virginia, by way of Sacramento District, Unionville, Star, Dungen,
 and Paradise Valley, in Nevada, to Boise City, in Idaho.

NEW YORK.

New York.

From Unadilla, in the county of Otsego, via Sidney, Tompkins, and
 Masonville, to Cannonsville, in the county of Delaware.

The road from South New Berlin, in the county of Chenango, to Mor-
 ris, in the county of Otsego, in the State of New York, is hereby declared
 to be a post road.

Post routes.
Ohio.

OHIO.

From New Carlisle, via Brant, to Dayton.

Oregon.

OREGON.

From Auburn to Clarksville.
From Dalles City, on the Columbia river, to Umatilla, in Umatilla county.
From Umatilla, by Le Grand, in Union county to Baker City, in Baker county.

Pennsylvania.

PENNSYLVANIA.

From Tylersport, in Montgomery county, to Seller's Tavern, in Bucks county.

Vermont.

VERMONT.

From *Rassumpsie*, via South Danville, to Danville.
From South Danville to West Danville.

Washington Territory.

WASHINGTON TERRITORY.

From Wallula, by Antoine Plants, Peru, D'Orville Lake, and Hell Gate, to Helena, Montana Territory.

West Virginia.

WEST VIRGINIA.

Change route numbered four thousand one hundred and twenty-five, (4,125,) from Middletown, in Tyler county, to Ellenboro', in Ritchie county; and route Sisterville, in Tyler county, to Twiggs, in Pleasant county.

Wisconsin.

WISCONSIN.

From Watome, Waushara county, to Grand Rapids, Wood county
APPROVED, March 14, 1866.

March 14, 1866.

CHAP. XVII. — *An Act to extend the Time for the Withdrawal of Goods for Consumption from public Store and bonded Warehouse, and for other Purposes.*

Until May 1, 1866, goods, &c. under bond, in any public, &c. warehouse, on which duties are unpaid, may be withdrawn for consumption upon payment of duties.

After May 1, 1866, such goods may be withdrawn, within one year after importation, upon payment, &c.

How may be withdrawn after one year and within three years from date of importation.

The exportation of bonded goods and their transportation in bond not prevented.

Repeal of inconsistent acts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this act, and until the first day of May, eighteen hundred and sixty-six, any goods, wares, or merchandise under bond, in any public or private bonded warehouse, upon which the duties are unpaid, may be withdrawn for consumption, and the bonds cancelled, on payment of the duties and charges prescribed by law; and any goods, wares, or merchandise deposited in bond, in any public or private bonded warehouse, on and after the first day of May aforesaid, and all goods, wares, or merchandise remaining in warehouse, under bond, on said first day of May, may be withdrawn for consumption within one year from the date of original importation, on payment of the duties and charges to which they may be subject by law at the time of such withdrawal; and after the expiration of one year from the date of original importation, and until the expiration of three years from said date, any goods, wares, or merchandise, in bond as aforesaid, may be withdrawn for consumption on payment of the duties assessed on the original entry and charges, and an additional duty of ten per centum of the amount of such duties and charges.

SEC. 2. *And be it further enacted,* That neither this nor any other act shall operate to prevent the exportation of bonded goods, wares, or merchandise from warehouse within three years from the date of original importation, nor their transportation in bond from the port into which they were originally imported to any other port or ports for the purpose of exportation; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, March 14, 1866.

CHAP. XVIII. — *An Act to further secure American Citizens certain Privileges under the Treaty of Washington.* March 16, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the produce of the forests of the State of Maine upon the Saint John river and its tributaries, owned by American citizens, and sawed or hewed in the Province of New Brunswick by American citizens, (the same being unmanufactured in whole or in part,) which is now admitted into the ports of the United States free of duty, shall continue to be so admitted under such regulations as the Secretary of the Treasury shall from time to time prescribe.

Certain produce of the forests of Maine, sawed in New Brunswick, to be admitted free of duty.

SEC. 2. *And be it further enacted,* That this act shall take effect from and after the seventeenth day of March, eighteen hundred and sixty-six.

When act takes effect.

APPROVED, March 16, 1866.

CHAP. XIX. — *An Act in Relation to the Court of Claims.*

March 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourteenth section of an act approved the third day of March, anno Domini eighteen hundred and sixty-three, entitled "An act to amend an act to establish a court for the investigation of claims against the United States," approved February twenty-fourth, eighteen [hundred] and fifty-five, be, and the same is hereby, repealed; and from the final judgment, or decree, in all cases heretofore decided by the Court of Claims, of the character mentioned in the fifth section of said act of March third, eighteen hundred and sixty-three, an appeal shall be allowed to the Supreme Court of the United States, at any time within ninety days after the passage of this act, except in such cases where the amounts found due by said Court have been paid at the treasury.

Repeal of § 14 of the act of 1863, ch. 92.

Vol. xii. p. 768.

Appeals from court of claims to the supreme court of the United States.

SEC. 2. *And be it further enacted,* That the regular session of the Court of Claims shall hereafter commence on the first Monday of December in each year.

Regular session of court of claims to commence when.

SEC. 3. *And be it further enacted,* That at the end of every term of the Court of Claims, the Clerk of said Court transmit a copy of the decisions thereof to the heads of Departments; to the Solicitor, Comptrollers, and Auditors of the Treasury; to the Commissioners of the General Land Office and of Indian Affairs; to the Chiefs of Bureaus; and to other officers charged with adjusting claims against the United States.

Clerk of court of claims, at end of every term, to send copy of its decisions to heads of departments, &c.

APPROVED, March 17, 1866.

CHAP. XX. — *An Act to amend an Act to extend the Charter of the President and Directors of the Firemen's Insurance Company of Washington and Georgetown, in the District of Columbia.*

March 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sixth, seventh, eighth, ninth, and tenth sections of the act to incorporate the president and directors of the Firemen's Insurance Company of Washington and Georgetown, in the District of Columbia, approved March third, eighteen hundred and thirty-seven, and which was extended by the act approved February seventh, eighteen hundred and fifty-seven, be, and the same hereby are, repealed; the fire companies which existed at the time of the passage of said acts, and upon which existence said sections were based, having ceased to exist.

Repeal of certain sections of the act incorporating the Firemen's Insurance Company of Washington, &c.

SEC. 2. *And be it further enacted,* That the stock of said Firemen's Insurance Company shall be issued, sold, transferred, and held in the same manner that the same might have been issued, sold, transferred, and held had those sections never existed.

Stock to be issued, sold, &c.

APPROVED, March 17, 1866.

March 21, 1866.
1865, ch. 91.
Vol. xiii. p. 509.

CHAP. XXI. — *An Act to amend an Act entitled "An Act to incorporate a national military and naval Asylum, for the Relief of the totally disabled Officers and Men of the volunteer Forces of the United States."*

"The National Asylum for Disabled Volunteer Soldiers" established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, Secretary of War, Chief Justice of the United States, and such other persons as from time to time may hereafter be associated with them, according to the provisions of this act, are hereby constituted and established a board of managers of an establishment for the care and relief of the disabled volunteers of the United States army, to be known by the name and style of "The National Asylum for Disabled Volunteer Soldiers," and have perpetual succession, with powers to take, hold, and convey real and personal property, establish a common seal, and to sue and be sued in courts of law and equity; and to make by-laws, rules, and regulations for carrying on the business and government of the asylum, and affix penalties thereto: *Provided,* That such by-laws, rules, and regulations are not inconsistent with the laws of the United States.

Powers, &c.

Business of the asylum, how managed.

SEC. 2. *And be it further enacted,* That the business of said asylum shall be managed by a board of twelve managers, who shall elect from their own number a president, who shall be the chief executive officer of the board, two vice-presidents, and a secretary; and seven of the board, of whom the president or one of the vice-presidents shall be one, shall form a quorum for the transaction of business at any meeting of the board.

Officers, quorum.

Board of managers; their residence, mode of election, term of office.

SEC. 3. *And be it further enacted,* That the board of managers shall be composed of the President and Secretary of War and Chief Justice of the United States, ex officio, during their terms of office, together with nine other citizens of the United States, not members of Congress, no two of whom shall be residents of the same State, but who shall all be residents of States which furnished organized bodies of soldiers to aid in the late war for the suppression of the rebellion, (no person being ever eligible who gave aid or countenance to the rebellion,) to be selected by joint resolution of the Senate and House of Representatives immediately after the passage of this act. The term of office shall be for six years, and until others are appointed in their places, after the first election, which shall be of three for six years, three for four years, and three for two years, to be determined by the order in which they shall be named in the resolution. New elections shall be made by joint resolution of Congress, and vacancies by death, resignation, or otherwise, to be filled in like manner. No member of the board of managers shall receive any compensation as such member; but his travelling and other actual expenses while upon the business of the asylum may be paid. But any member of the board having other duties connected with the asylum may receive a reasonable compensation therefor, to be determined by the board.

New elections and vacancies.

Members, as such, not to be paid, except for expenses. may be paid for other duties.

Sites for asylums may be procured, and buildings erected.

SEC. 4. *And be it further enacted,* That the board of managers shall have authority to procure for early use, at suitable places, sites for military asylums for all persons serving in the army of the United States at any time in the war of the rebellion not provided for by existing laws, who have been or may hereafter be disqualified for procuring their own maintenance and support by reason of wounds received or sickness contracted while in the line of their duty during the present rebellion, and to have the necessary buildings erected, having due regard to the health of location, facility of access, and capacity to accommodate the persons provided for in this act.

Appropriations for support of asylum.

SEC. 5. *And be it further enacted,* That for the establishment and support of this asylum there shall be appropriated all stoppages or fines adjudged against such officers and soldiers by sentence of court-martial or military commission, over and above the amounts necessary for the reimbursement of the Government or of individuals; all forfeitures on account

of desertion from such service; and all moneys due such deceased officers and soldiers, which now are or may be unclaimed for three years after the death of such officers and soldiers, to be repaid upon the demand of the heirs or legal representatives of such deceased officers or soldiers. And the said board of managers are hereby authorized to receive all donations of money or property made by any person or persons for the benefit of the asylum, and to hold or dispose of the same for its sole and exclusive use. Donations may be received

SEC. 6. *And be it further enacted*, That the officers of the asylum shall consist of a governor, a deputy governor, a secretary, and a treasurer, and such other officers as the board of managers may deem necessary, to be appointed from disabled officers serving as before mentioned, and they may be appointed and removed from time to time, as the interests of the institution may require, by the board of managers. Officers of asylum; appointment, removal, &c.

SEC. 7. *And be it further enacted*, That the following persons only shall be entitled to the benefits of the asylum, and may be admitted thereto, upon the recommendation of three of the board of managers, namely: All officers and soldiers who served in the late war for the suppression of the rebellion, and not provided for by existing laws, who have been or may be disabled by wounds received or sickness contracted in the line of their duty; and such of these as have neither wife, child, nor parent dependent upon them, on becoming inmates of this asylum, or receiving relief therefrom, shall assign thereto their pensions when required by the board of managers, during the time they shall remain therein or receive its benefits. Who entitled to benefits of the asylum, and how admitted.

SEC. 8. *And be it further enacted*, That the board of managers shall make an annual report of the condition of the asylum to Congress on the first Monday of every January after the passage of this act; and it shall be the duty of the said board to examine and audit the accounts of the treasurer and visit the asylum quarterly. Board to make annual report; to audit accounts of treasurer, and visit the asylum quarterly.

SEC. 9. *And be it further enacted*, That all inmates of the asylum shall be, and they are hereby, made subject to the rules and articles of war, and will be governed thereby in the same manner as if they were in the army of the United States. Inmates subject to rules and articles of war.

SEC. 10. *And be it further enacted*, That the managers of the asylum shall have power and authority to aid persons who are entitled to its benefits by out-door relief in such manner and to such extent as they may deem proper, provided such relief shall not exceed the average cost of maintaining an inmate of the asylum. Managers may give out-door relief in certain cases.

SEC. 11. *And be it further enacted*, That so much of the act to which this is an amendment as provides for the establishment of a naval in connection with a military asylum, and so much of said act as provides that all stoppages of fines adjudged against naval officers and seamen by sentence of courts-martial or military commission, all forfeitures on account of desertions from the naval service, and all moneys due to deceased naval officers and seamen which are or may be unclaimed for three years after the death of such officers or seamen, shall be appropriated for the establishment of the asylum contemplated and provided for by this act and the act of which it is amendatory, be, and the same is hereby, repealed. Repeal of law establishing naval asylum in connection with this, &c.

SEC. 12. *And be it further enacted*, That all the property of the United States now at Point Lookout, St. Mary's county, Maryland, shall be and become the property of the asylum so soon as a title to the satisfaction of the board of managers shall be made to the asylum of at least three hundred acres of land, including that on which said property of the United States is now built and maintained or held. Property of the United States at Point Lookout, Maryland, to belong to asylum, when, &c.

SEC. 13. *And be it further enacted*, That Congress may at any time hereafter alter, amend, or repeal this act. Act may be altered, &c.

APPROVED, March 21, 1866.

March 21, 1866.
1815, ch. 45.
Vol. iii. p. 211.

Certain loca-
tions of land in
Missouri made
valid.

Vol. iii. p. 211.

Right of the
United States in
certain lands
conveyed to
James Y. O'Car-
roll, &c.

Provisos.

CHAP. XXII. — *An Act quieting Doubts in Relation to the Validity of certain Locations of Lands in the State of Missouri, made by Virtue of Certificates issued under the Act of Congress of February the seventeenth eighteen hundred and fifteen.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all locations of lands in the State of Missouri, purporting to have been made by virtue of certificates issued under the act of Congress, approved February the seventeenth, eighteen hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes," which are invalid in consequence of having been made or located after the expiration of the time specified by law for making said locations, shall be, and the same are hereby declared to be, as valid, and as binding, as if the said locations had been made and fully completed within the time prescribed by law, provided said locations shall be according to law in all other respects; but the foregoing provisions of this section shall not apply to, comprehend, include, or extend to any land within township forty-five, north of the base line, in range seven, east of the fifth principal meridian line in said State of Missouri.

SEC. 2. *And be it further enacted,* That the United States do hereby grant, relinquish, and convey, in fee simple, and in full property, to James Y. O'Carroll, or his legal representatives, all of the right, title, and interest of the United States in and to all of the land within survey number two thousand four hundred and ninety-eight, in township forty-five, north of the base line in range seven east of the fifth principal meridian line, in the State of Missouri, being the same land that was located by virtue of certificate number one hundred and fifty, issued to the said James Y. O'Carroll, or his legal representatives, under the act of Congress approved February the seventeenth, eighteen hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes": *Provided, however,* That nothing in this section shall grant, relinquish, or convey the whole or any part of any lot, tract, piece, or parcel of land in said township, which has been heretofore confirmed by the United States to any person or persons, or to the legal representatives of any person or persons: *And provided further,* That nothing in this act shall be so construed as to invalidate or impair any patent heretofore issued by the United States, or shall in any manner abridge, divest, impair, injure, or prejudice any valid adverse right, title, or interest of any person or persons in or to any portion or part of the aforesaid land which is granted, relinquished, and conveyed by this act.

APPROVED, March 21, 1866.

April 5, 1866.

CHAP. XXIV. — *An Act more effectually to provide for the Punishment of certain Crimes against the United States.*

The forging,
&c., of any bond,
public record,
&c., with intent
to defraud the
United States, or
willingly aiding
therein, or the
knowingly utter-
ing, with such
intent, any such
bond, &c., &c.,
made a felony,
and how pun-
ished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons shall falsely make, alter, forge, or counterfeit; or cause or procure to be falsely made, altered, forged, or counterfeited; or willingly aid or assist in the false making, altering, forging, or counterfeiting any bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published, as true, any such false, forged, altered or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, the office of any officer of the United States, any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other

writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States; every such person shall be deemed and adjudged guilty of felony, and being thereof duly convicted, shall be sentenced to be imprisoned, and kept at hard labor, for a period not exceeding ten years, or be fined not exceeding one thousand dollars, or both of said punishments in the discretion of the court.

SEC. 2. *And be it further enacted*, That if any offence shall be committed in any place which has been, or shall hereafter be, ceded to, and under the jurisdiction of the United States, which offence is not prohibited, or the punishment thereof is not specially provided for by any law of the United States, such offence shall, upon conviction in any court of the United States having cognizance thereof, be liable to, and receive the same punishment as the laws of the State in which such place is, or may be situated, now in force, provided for the like offence when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offence in any of the courts of the United States.

APPROVED, April 5, 1866.

Offences committed in places ceded to and within the jurisdiction of the United States, not prohibited, and for which a punishment is not specially provided by any law of the United States, how to be punished.

CHAP. XXV. — *An Act to provide for the Transfer of the Custody of the Library of the Smithsonian Institution to the Library of Congress.* April 5, 1866.

• *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the library collected by the Smithsonian Institution under the provisions of an act approved August tenth, eighteen hundred and forty-six, shall be removed from the building of said institution, with the consent of the regents thereof, to the new fire-proof extension of the library of Congress, upon completion of a sufficient portion thereof for its accommodation, and shall, while there deposited, be subject to the same regulations as the library of Congress, except as hereinafter provided.

The library of the Smithsonian Institution to be transferred to the library of Congress.
1846, ch. 178.
Vol. ix. p. 102

SEC. 2. *And be it further enacted*, That when such library shall have been so removed and deposited, the Smithsonian Institution shall have the use thereof in like manner as it is now used, and the public shall have access thereto for purposes of consultation on every ordinary week day except during one month of each year, in the recess of Congress, when it may be closed for renovation. All the books, maps, and charts of the Smithsonian library shall be properly cared for and preserved in like manner as are those of the Congressional library, from which the Smithsonian library shall not be removed except on reimbursement by the Smithsonian Institution to the Treasury of the United States of expenses incurred in binding and in taking care of the same, or upon such terms and conditions as shall be mutually agreed upon by Congress and the regents of said Institution.

how to be used.

not to be removed except upon reimbursement, &c.

SEC. 3. *And be it further enacted*, That the Smithsonian Institution, through its secretary, shall have the use of the library of Congress, subject to the same regulations as Senators and Representatives.

Smithsonian Institution may use library of Congress.

SEC. 4. *And be it further enacted*, That the librarian of Congress shall be authorized to employ two additional assistants, who shall receive a yearly compensation of eight hundred dollars, and one thousand dollars, respectively, commencing July one, eighteen hundred and sixty-six, to be paid out of any money in the treasury not otherwise appropriated.

Additional assistants in library of Congress.

SEC. 5. *And be it further enacted*, That the sum of five hundred dollars, or so much thereof as may be necessary, shall be appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses of the removal herein provided for.

Appropriation for expenses of removal.

APPROVED, April 5, 1866.

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April 5, 1866.

CHAP. XXVI. — *An Act to provide for a Term of the District Court for the District of Minnesota, to be held at the City of Winona in said District.*

Term of the District Court of the United States in Minnesota, established at Winona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, and until otherwise provided by law, there shall be held, annually, on the first Monday in June, a term of the district court of the United States for the district of Minnesota at the city of Winona, in said district, and all process, writs, and recognizances, civil and criminal, which may have been, or may hereafter be, issued and made returnable at Mankato, shall be returned to the said term of the said court at the said city of Winona, in like manner and with the like effect as if originally made returnable thereto.

Term at Mankato abolished.

SEC. 2. *And be it further enacted,* That all acts or parts of acts which require a term of said court to be held at Mankato, in said district, be, and the same are hereby, repealed.

APPROVED, April 5, 1866.

April 6, 1866.

1864, ch. 248.
Vol. xiii. p. 389.

CHAP. XXVII. — *An Act to amend the Act entitled "An Act for the Relief of Seamen and Others borne on the Books of Vessels wrecked or lost in the naval Service," approved July four, eighteen hundred and sixty-four, and for other Purposes.*

Allowance to officers in navy and marine corps for loss of personal effects by casualty or in action, &c.

Limit of allowance.

Provisos.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case any officer of the navy or marine corps on board a vessel in the employ of the United States which, by any casualty, or in action with the enemy, has been or may be sunk or otherwise destroyed, shall thereby have lost his personal effects, the proper accounting officers are hereby authorized, with the approval of the Secretary of the Navy, to allow to such officer a sum not exceeding the amount of his sea pay for one month, as compensation for said loss: *Provided,* that such loss has not occurred through the negligence or want of skill or foresight of the officer making application for such loss: *Provided,* That the accounting officers shall in all cases require a schedule and certificate from the officer making the claim for effects so lost: *And provided further,* That no allowance shall be made by virtue of this act for any loss incurred prior to the nineteenth day of April, eighteen hundred and sixty-one.

The law requiring bounty-money of mariners, &c., enlisting into the navy from the army, to be deducted from prize-money, repealed.

1863, ch. 75.
Vol. xii. p. 731.
1864, ch. 13, § 7.
Vol. xiii. p. 7.

SEC. 2. *And be it further enacted,* That so much of the seventh section of the act of Congress, approved February twenty-fourth, eighteen hundred and sixty-four, entitled "An act to amend an act entitled 'An act for enrolling and calling out the national forces, and for other purposes,' approved March third, anno Domini eighteen hundred and sixty-three," as provides that "the bounty money which any mariner or se[*a*]man enlisting from the army into the navy may have received from the United States, or from the State in which he enlisted in the army, shall be deducted from the prize money to which he may become entitled during the time required to complete his military service," be, and the same is hereby, repealed.

APPROVED, April 6, 1866.

April 7, 1866.

CHAP. XXVIII. — *An Act making additional Appropriations, and to supply the Deficiencies in the Appropriations for sundry civil Expenses of the Government for the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-six, and for other Purposes.*

Deficiency appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, and to supply deficiencies in the appropriations, for the service of the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated, namely:

Coast Survey.

Survey of the Coast. — For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy

and petty officers and men of the navy employed in the work, one hundred and twenty thousand dollars.

Coast Survey

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, seventy-five thousand dollars.

For continuing the survey of the reefs, shoals and keys of South Florida, including compensation of civilians engaged in the work, and excluding pay and emoluments of the officers of the army and navy and petty officers and men of the navy employed in the work, eleven thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians employed in the work, four thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, twenty thousand dollars.

For pay and rations of engineers for steamers used in the hydrography of the Coast Survey, no longer supplied by the Navy Department, six thousand dollars.

Light-House Establishment. — For the Atlantic, Gulf, and Lake coasts, viz: Light-house
Establishment.

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, one hundred and eighty-three thousand two hundred and eighty-seven dollars.

To supply deficiency in estimate for supplies of oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, seventeen thousand dollars.

For repairs and incidental expenses of light-houses and lighted beacons, one hundred and thirty thousand dollars.

To supply a deficiency in estimate for repairs and incidental expenses of light-houses, fifty thousand dollars.

For salaries of five hundred and eighty-nine keepers of light-houses and lighted beacons, and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For mates' and seamen's wages, repairs, supplies, and incidental expenses of forty-three light-vessels, two hundred and eighteen thousand nine hundred and seventeen dollars and seventy-five cents.

To supply deficiency in estimates for seaman's wages, repairs, supplies, and incidental expenses for light-vessels, twenty-three thousand three hundred and twenty-one dollars and seventy-five cents.

For expenses of weighing, cleaning, repairing, painting, replacing, and supplying losses of buoys, chains, moorings, and incidental expenses of the same, and for repairing and keeping in repair all the day-marks, beacons, spindles, and monuments, and for expenses of coloring and numbering all the buoys and beacons, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the Coasts of California, Oregon, and Washington. — For supplying light-houses and beacon-lights with oil, glass chimneys, and wicks, Light-houses,
&c., on the coasts
of California,
Oregon, and
Washington. chamois skins, polishing powder, and other cleaning materials, transportation, and expenses of keeping lamps and machinery in repair, thirty-three thousand and thirty dollars.

For repairs and incidental expenses of light-houses and lighted beacons, fifteen thousand dollars.

For salaries of forty keepers and assistant keepers of light-houses, at an average not exceeding eight hundred dollars per annum, thirty-two thousand dollars.

Light-houses, &c. For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

To supply deficiency in estimate for raising, cleaning, painting, remooring, and supplying losses of buoys, fifty thousand dollars.

Special works. For special works, viz :

For rebuilding sea-wall at Sand's Point light-station, New York, fourteen thousand eight hundred dollars.

For rebuilding sea-wall, and repairs to tower at Nayat Point light-house, Rhode Island, six thousand five hundred dollars.

For replacing the present stakes at Whitehall Narrows, New York, by approved structures, nine thousand four hundred dollars.

For repairs and renovations at Little Gull Island light-station, New York, three thousand dollars.

For a new light-house on Hart Island, New York, or vicinity, six thousand six hundred dollars.

For a new light-house on North Brother Island, or vicinity, East River, New York, eight thousand five hundred dollars.

For repairs and renovations at Split Rock light-station, Lake Champlain, nine thousand six hundred dollars.

For repairs and renovations at Galloo Island light-station, fifteen thousand dollars.

For beacons in Providence river, Rhode Island, on Conanicut and Bullock's Points, in addition to previous appropriations, seventeen thousand dollars.

For banking in light-house site at Cohansey, Delaware Bay, four thousand five hundred dollars.

For a new iron stairway at Cape Henlopen light-house, twelve thousand dollars.

For a new light-house at Sharp's Island, Maryland, fifteen thousand dollars.

For new lanterns at Clay Island, Fog Point, Watt's Island, Turkey Point, Havre de Grace, and Fishing Battery light-houses, six thousand dollars.

For a new iron stairway at Cape Henry light-house, Virginia, twelve thousand dollars.

For new iron stairways at Cape Lookout and Cape Hatteras light-houses, North Carolina, twenty thousand dollars.

For repairs and renovations at Turtle Island light-station, Ohio, twelve thousand dollars.

For rebuilding Green Island light-house, Ohio, thirteen thousand seven hundred dollars.

For protecting the foundation on which Waugoshance light-house is constructed, ninety thousand dollars.

For renovations and repairs at Windmill Point light-house, Lake Saint Clair, three thousand five hundred dollars.

For rebuilding outer-range light at Cedar Point, Sandusky bay, Ohio, twenty thousand dollars, or so much thereof as may be necessary.

For range lights at Portage entry, Michigan, one thousand five hundred dollars.

For new keeper's dwelling at Beaver Island light-station, Michigan, five thousand eight hundred dollars.

For repairs and renovations at Marquette light-station, Michigan, thirteen thousand dollars.

For repairs and renovations at Cooper Harbor light-station, Michigan, thirteen thousand seven hundred dollars.

For repairs and renovations at Ontonagon light-station, Michigan, fourteen thousand dollars.

For beacon lights at the mouth of Fox river, Wisconsin, six thousand dollars. Light-houses.

For a beacon light on the landing at Santa Barbara, California, six thousand seven hundred dollars.

To enable the Light-House Board to re-establish lights and other aids to navigation discontinued by the enemy on the southern coast, one hundred thousand dollars.

To enable the Light-House Board to experiment with new illuminating apparatus and fog signals, three thousand four hundred dollars.

For a new light-house at the mouth of North river, Albemarle sound, North Carolina, fifteen thousand dollars.

For repairs and renovations at Tybee light-house, Georgia, twenty thousand dollars.

For rebuilding light-house at Presque Isle, Pennsylvania, (Lake Erie,) upon the most eligible site under the control of the Light-House Board, twenty-five thousand dollars.

For repairs and renovations at Mamaguda light-station, Detroit river, seven thousand five hundred dollars.

For repairs and renovations at Kenosha light-station, Wisconsin, four thousand dollars.

For repairs and preservation of public buildings, especially southern buildings, fifty thousand dollars. Repairs and preservation of public buildings.

For furniture, carpets, and miscellaneous items for the same, fifteen thousand dollars.

For continuation of the north wing of the Treasury extension, two hundred thousand dollars. Treasury extension.

For completion of the Dubuque, Iowa, custom-house, post-office, and United States court-room, fifteen thousand dollars. Custom-house, &c., at Dubuque Iowa.

For completion of alterations of the Cincinnati custom-house, twenty-two thousand dollars. Cincinnati.

For completion of alterations of the Philadelphia custom-house, thirty thousand dollars. Philadelphia.

For payment of claims due for the constructing and furnishing the Baltimore court house, one hundred and nine thousand dollars.

For payment of claims due for the repair of Government warehouses and construction of wharves, Staten Island, New York, twenty-nine thousand dollars.

For burglar proof safes, or vaults, twenty thousand dollars.

For heating of old Treasury building, ten thousand dollars.

For office furniture and repairs of furniture and miscellaneous expenses for Treasury bureaus, Washington, twenty thousand dollars.

Public Buildings and Grounds.—For error in compensation of employees in the Interior Department, to wit: one messenger, at one thousand dollars, and two assistants, at eight hundred and forty dollars each, forty dollars. Public buildings and grounds.

For compensation of two night watchmen at the President's House, at six hundred dollars, each, per annum, one thousand two hundred dollars.

For additional compensation of twenty per centum to two night watchmen, at six hundred dollars each, two hundred and forty dollars.

For deficiency due the Navy Department, for use of pile-driver, men, oil, and engine, while repairing navy yard bridge, two thousand nine hundred and fifty-nine dollars and sixty-six cents. Bridges and streets.

For deficiency in consequence of relaying and repaving all the crossings of the streets intersecting Pennsylvania avenue, on the north side, from the Capitol to the Treasury Department, ten thousand dollars.

For deficiency in repairing the conservatory at the President's House, seven thousand five hundred dollars. President's house and conservatory.

To enable the Commissioner of Public Buildings to properly refurnish and repair the President's House, in conformity with his estimate, forty-

six thousand dollars, the old furniture to be disposed of under the direction of the Secretary of the Interior.

Library of Congress.

For purchase of coal and pay of firemen to warm the library of Congress one thousand five hundred dollars.

Transient paupers in Washington.

For care, support, medical and surgical treatment for forty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, twelve thousand dollars.

Public grounds.

For hire of carts on the public grounds, two thousand dollars.

For purchase and repair of tools used in the public grounds, four hundred dollars.

For purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

Repairs of Capitol.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, in addition to old material sold, eight thousand dollars.

Room for supreme court.

For fitting up rooms in the basement, under the court-room of the Supreme Court, for a consultation room for the court, six thousand five hundred dollars.

Sewers and paving.
1864, ch. 81, § 3.
Vol. xiii. p. 69.

To enable the Commissioner of Public Buildings to pay for sewers and paving in front of Government property constructed under the act of May five, eighteen hundred and sixty-four, thirty-two thousand and seventy dollars: *Provided*, That no payment shall be made on account of any appropriations herein contained to reimburse the city of Washington for improvements heretofore constructed in front of or through the public grounds, until the items have been properly examined and audited as to legality and amount by the proper officer of the Treasury.

Public grounds.

For improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, two thousand dollars.

Fuel.

For fuel, in part, for the President's House, five thousand dollars.

Lighting Capitol, &c.

For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, and Pennsylvania avenue, Bridge and High streets, in Georgetown, Four-and-a-half street, Seventh and Twelfth streets across the Mall, and Maryland avenue west, and Sixth street south, eighty-five thousand dollars.

Bridges and streets.

For repairs of the Potomac and upper bridges, six thousand dollars.

For repairs of Pennsylvania avenue, and keeping it clean, and for sprinkling the same, ten thousand dollars.

Reservations.

For public reservation number two and Lafayette square, in addition to any sum heretofore received or that may hereafter be received for the sale of hay raised on the grounds, two thousand dollars.

Public grounds.

For taking care of the grounds south of the President's House, and continuing the improvement of the same, three thousand dollars.

Water-pipes, sewers, &c.

For repairs of water-pipes, five hundred dollars.

For cleaning and repairing sewer traps on Pennsylvania avenue, three hundred dollars.

For casual repairs of all the furnaces under the Capitol, five hundred dollars.

For an additional watchman in reservation number two, seven hundred and twenty dollars.

For casing with stone and erecting a wall in front of the north basement of the old part of the Capitol, so as to correspond with the south basement already completed, four thousand three hundred dollars.

For completing the sewer through the botanic garden, twenty thousand five hundred and five dollars.

For taking up and relaying with stone flagging the brick pavement in front of the War and Navy Departments, on Seventeenth street, three thousand dollars. Paving, &c.

For stone crossings at the streets intersecting Pennsylvania avenue, five thousand dollars.

For repairing, re-glazing, re-painting, and putting in thorough order the greenhouse at the President's, five thousand dollars. Public grounds, squares, and buildings.

For repairing roof of the old portion of the Capitol, five thousand four hundred and fifty dollars.

To meet the expenditure made by the Commissioner of Public Buildings in illuminating the Capitol and the government portion of the City Hall, two hundred and fifty dollars.

For hauling manure for the public grounds, five hundred dollars.

For the protection and improvement of Franklin square, two thousand dollars.

For painting the President's House inside and out, eight thousand dollars; to be expended by the Commissioner of Public Buildings.

For rebuilding fence (destroyed by fire) around the Smithsonian Institution, two hundred dollars.

For fuel for centre building of Capitol, fifteen hundred dollars.

For completing the dome of the Capitol, fifty thousand dollars.

For supplying deficiency in appropriation for lighting the Capitol and President's House and public grounds around them, and around the executive offices and Pennsylvania avenue; Bridge and High streets, Georgetown; Four-and-a-half street, Seventh street, and Twelfth street across the Mall, and Maryland avenue west, and Sixth street south, thirteen thousand dollars. Dome of capitol.

For sweeping and cleaning Pennsylvania avenue prior to the inauguration on the fourth of March, eighteen hundred and sixty-five, one thousand dollars.

For carrying the Potomac water into that portion of the President's House occupied for offices, and all the necessary fixtures, three thousand dollars.

For supplying deficiency in appropriation for fuel for the President's House and Capitol, six thousand dollars.

For continuing the work on the Capitol extension, one hundred and seventy-five thousand dollars. Capitol extension.

For casual repairs of Patent Office Building, ten thousand dollars.

For defraying the expenses incident to the death and burial of Abraham Lincoln, late President of the United States, thirty thousand dollars. Burial of Abraham Lincoln.

For salary of warden of the jail in the District of Columbia, sixteen hundred dollars. Jail in District of Columbia.

For the support and maintenance of the convicts transferred from the District of Columbia to such place or places as may be selected by the Secretary of the Interior, thirty thousand dollars. Support and transportation of convicts.

For the preservation of the collections of the exploring and surveying expeditions of the government, four thousand dollars. Collections of exploring and surveying expeditions.

Office of the Secretary of State.—For publication of the laws, eight thousand dollars. Office of Secretary of State. Laws.

For extra clerk hire, eight thousand dollars.

For the pay of the United States Commissioner, and for the pay of the United States Surveyor, and for incidental expenses in the execution of the duty assigned to the joint commission appointed under the first article of the reciprocity treaty between the United States and Great Britain of the fifth of June, eighteen hundred and fifty-four, from November first, eighteen hundred and sixty-five, to March, eighteen hundred and sixty-six, and for drafting and compilation of the final chart, showing the places "reserved from the common liberty of fishing," their limits and descriptions, fifteen hundred dollars, or so much thereof as may be necessary. Commission under reciprocity treaty. Vol. x. p. 1089.

Office of At-
torney General.
1865, ch. 98.
Vol. xiii. p. 516.

Office of the Attorney General. — For deficiency in appropriations for salaries under act of March third, eighteen hundred and sixty-five, three thousand three hundred dollars.

For deficiency in appropriation for contingent expenses, three thousand five hundred dollars.

For pay of two temporary clerks from January first to June thirty, eighteen hundred and sixty-six, twelve hundred dollars.

For stationery, furniture, and other contingencies, and for books and maps for the Library for the Interior Department, three thousand dollars.

For compensation for temporary clerks in the Pension Bureau for the current fiscal year, twenty thousand dollars.

Government
hospital for the
insane.

Government Hospital for the Insane. — For the support, clothing, and medical treatment of the insane of the army and navy and the revenue cutter service, and of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars.

For finishing, furnishing, and lighting additional accommodations in the east wing; for new bedding for the west wing, and for the extension and replanking of the coal wharf, ten thousand dollars.

For continuation of the wall enclosing the grounds of the hospital, ten thousand dollars.

For removing and repairing three old frame houses and building two new cottages for the occupation of the employees of the hospital having families, six thousand dollars.

Patent office.

Patent Office. — For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars.

For preparing illustrations and descriptions for report, six thousand dollars.

For finishing the saloon in the north wing of the Patent Office building, and for furnishing the same with suitable accommodations for the reception and convenient exhibition of the models, thirty thousand dollars: *Provided*, That in the purchase of carpets for any of the public buildings or offices under any appropriations herein provided, they shall be of domestic manufacture.

Carpets to be
of domestic man-
ufacture.

Census office.

Census Office. — For making good the aggregate difference between the original rates of salaries paid the clerks and employees of the Census Office, before they were assigned to the General Land Office, from June one to December thirty-one, eighteen hundred and sixty-five, two thousand four hundred and fifty dollars and thirty-one cents.

For paying the salaries at the original census rate, of principal clerk and other clerks and one employee from January one to June thirty, eighteen hundred and sixty-six, six thousand four hundred and sixty dollars.

For incidental expenses of the Census Office, fifteen hundred dollars.

Department of
the interior.
Office of engi-
neer.

In the office of the engineer, Department of the Interior, viz:

For one clerk, six months, at one thousand eight hundred dollars per annum, nine hundred dollars.

For one clerk, six months, at one thousand five hundred dollars per annum, seven hundred and fifty dollars.

For one clerk, six months, at one thousand two hundred dollars per annum, six hundred dollars.

Mileage of en-
gineer, examin-
ing route of
Union Pacific
Railroad.

For mileage of Government engineer from Cincinnati, Ohio, to Omaha, Nebraska, and thence to Washington, in July, eighteen hundred and sixty-five, directed by the President of the United States to examine and report upon Union Pacific railroad routes west from Omaha, two thousand and nine hundred and two miles, at ten cents per mile, two hundred and ninety dollars and twenty cents.

For mileage of the same, from Washington to New York and back, in

August, eighteen hundred and sixty-five, on account of Union Pacific railway, two hundred and twenty-five miles, each way, at ten cents per mile, forty-five dollars.

For cost of completing bridge over Big Sioux river, near Sioux City, and government wagon road from Sioux City, Iowa, to Fort Randall, Dakota Territory, in addition to former appropriations, ten thousand dollars.

Bridge and wagon road.

For commutation of quarters and fuel to officer of corps of engineers, United States army, in charge of engineer office, Department of the Interior, agreeably to army regulations, from first August, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, to be paid by Department of the Interior, agreeably to army regulations, eleven hundred and thirty-seven dollars and sixty-four cents.

Quarters and fuel.

For contingencies, two thousand dollars.

Library of Congress. — For purchasing files of leading American newspapers for the Library of Congress, one thousand five hundred dollars.

Library of Congress.

To enable the Joint Committee on the Library to pay the first installment due on a contract made with William H. Powell for a naval picture to be placed in the Capitol, in pursuance of a joint resolution approved March second, eighteen hundred and sixty-five, two thousand dollars.

William H. Powell, for naval picture. Vol. xiii. p. 570.

Botanic Garden. — For grading, draining, procuring, manure, tools, fuel, and repairs, purchasing trees and shrubs, under the direction of the Library Committee of Congress, three thousand three hundred dollars.

Botanic Garden.

For pay of superintendent of botanic garden, and assistants in the botanic garden and green-houses, to be expended under the direction of the Library Committee of Congress, six thousand one hundred and forty-five dollars and eighty cents.

For the purchase and removal of materials, and for erecting four green-houses in the botanic garden, to be expended under the direction of the Joint Committee on the Library, twenty-five hundred dollars.

Columbian Institution for the Deaf and Dumb. — For salaries and incidental expenses, including five hundred dollars for the purchase of books and illustrative apparatus, twelve thousand five hundred dollars.

Columbian Institution for the deaf and dumb.

For the erection, furnishing, and fitting up of the two extensions to the buildings, to provide enlarged accommodations for the male department, and to furnish rooms for the instruction of the pupils in useful labor, thirty-nine thousand four hundred and forty-five dollars and eighty-seven cents.

For the proper enclosure, grading, and improvement of the grounds of the institution, three thousand five hundred dollars.

Surveying the Public Lands. — For surveying the public lands in Wisconsin, six thousand dollars.

Surveying public lands.

For surveying the public lands in Minnesota, fifteen thousand dollars.

For surveying the public lands in Dakota Territory, five thousand dollars.

For surveying the public lands in Nebraska Territory, twenty-five thousand dollars.

For surveying the public lands in Kansas, twenty-five thousand dollars.

For surveying the public lands in Colorado Territory, fifteen thousand dollars.

For surveying the public lands in Nevada, fifteen thousand dollars.

For surveying the public lands in New Mexico, five thousand dollars.

For surveying the public lands in California, thirty thousand dollars.

For surveying the public lands in Oregon, twenty thousand dollars.

For surveying the public lands in Washington Territory, twenty thousand dollars.

To supply a deficiency in the fund for the relief of sick and disabled seamen, one hundred and seventy thousand dollars.

Miscellaneous.
Court-house,
&c.

Miscellaneous. — For the fencing in, repair and completion of the United States court-house and post-office at Indianapolis, Indiana, and paving the sidewalks in front of the same, the sum of eight thousand dollars, or such part thereof as may be necessary.

For the alteration and repair of the court-house in the city of Boston, five thousand dollars.

For repairs of United States marine hospital at Cleveland, in the State of Ohio, eight thousand dollars.

Atlantic and
Pacific tele-
graph.

For facilitating communication between the Atlantic and Pacific States by electrical telegraph, forty thousand dollars.

Detection of
counterfeiting
treasury notes,
&c.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds and other securities of the United States, as well as the coins of the United States, fifty thousand dollars.

D. S. Payne.
Census of Idaho.
1863, ch. 117.
Vol. xii. p. 808.

To enable the Secretary of the Interior to adjust and settle the accounts of D. S. Payne, for enumerating the inhabitants of the Territory of Idaho, under the direction of the governor of said Territory, as authorized by the act of March three, eighteen hundred and sixty-three, entitled "An act to provide a temporary government for the Territory of Idaho," the sum of eight thousand eight hundred dollars, or so much thereof as may be necessary.

Custom-house
at Portland, Me.

For building a custom-house at Portland, Maine, in addition to the sum heretofore appropriated by Congress, seventy-five thousand dollars: *Provided*, That the Secretary of the Treasury may, if he thinks it advisable, expend a sum, not exceeding thirty-five thousand dollars, in the purchase of ground adjoining the site of the old custom-house on Fore street, now owned by the United States, for the purpose of enlarging the same, or the Secretary may exchange the lot now owned as aforesaid for a more eligible one, if the same can be procured; but no money shall be paid or agreed to be paid by the United States in consideration of such exchange, and no transfer, assignment, or conveyance of property by the United States shall be made upon such exchange, except a conveyance, on its behalf, by the Secretary of the Treasury, of the interest of the United States in the lot aforesaid and the building thereon.

Saint Albans.

For building a custom-house at Saint Albans, in the State of Vermont, ten thousand dollars.

Census of Ari-
zona.

For expenses of the census of Arizona Territory, taken in the year eighteen hundred and sixty-four, to be audited and paid under the supervision of the Secretary of the Interior, four thousand one hundred and sixty dollars.

Portland.

For securing the right of way and building a bridge across the canal to the marine hospital near Portland, Maine, three thousand dollars.

Providence.

For making alterations and repairs in the custom-house, court-house, and post-office building, at Providence, Rhode Island, three thousand dollars.

Revenue agent
at New York.
1864, ch. 173, § 4.
Vol. xiii. p. 224.

For compensation of the revenue agent stationed at New York, in addition to the sum authorized by the act of June thirtieth, eighteen hundred and sixty-four, including one thousand dollars for the current fiscal year, two thousand dollars.

Compilation of
laws relating to
revenue, &c.

For one thousand copies of a compilation of the laws of the United States relating to revenue, commerce, and navigation, now in course of preparation for the press at the Treasury Department, such sum as may be necessary therefor in the discretion of the Secretary of the Treasury, and not exceeding seven thousand dollars.

William Handy.

To enable the Secretary of the Treasury to pay to William Handy, of the Treasury Department, for extra clerical services, such sum as may be found due, not exceeding five hundred dollars.

John Hopley.

For compensation to John Hopley, for services in indexing the national currency act, one hundred dollars.

For additional compensation to the publishers of the Statutes at Large, eight thousand five hundred and seventy-five dollars and sixty-nine cents. Statutes at Large.

For refitting the rear basement rooms of the old Treasury building for office purposes, eleven thousand dollars.

For the purchase of the property in Washington city, known as Ford's theatre, for the deposit and safe-keeping of documentary papers relating to the soldiers of the army of the United States, and of the museum of the medical and surgical department of the army, one hundred thousand dollars. Ford's theatre.

SEC. 2. *And be it further enacted*, That the ninth section of the act entitled "An act making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth of June, eighteen hundred and sixty-three, and for other purposes," approved March third, eighteen hundred and sixty-three, appropriating thirty per centum of the cost of engraving the special dies for internal revenue stamps, not to exceed in amount twenty thousand dollars, be, and the same is hereby, so amended as to enable the Secretary of the Treasury to pay the contractors, Butler and Carpenter, the said sum of twenty thousand dollars in full of all claims for indemnity. Indemnity to Butler and Carpenter. 1863, ch. 79, § 9. Vol. xii. p. 752.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase for the United States an appropriate building site at Island Pond, or at some point northerly of Island Pond and south of the Canadian boundary line, in the State of Vermont, and to cause to be erected thereon a suitable building for the use of such officers of the customs as are or may be stationed at that place: *Provided*, That the cost of such purchase and erection shall not exceed the sum of ten thousand dollars; which amount is hereby appropriated for the purpose. Custom-house at Island Pond.

SEC. 4. *And be it further enacted*, That the sum of four thousand dollars, appropriated by "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June thirty, eighteen hundred and sixty-five," approved June twenty-five, eighteen hundred and sixty-five [four], "to enable the Joint Library Committee to purchase a complete file of selections from European periodicals; from eighteen hundred and sixty-one to eighteen hundred and sixty-four, relating to the rebellion in the United States, to be deposited in the library," is hereby transferred to the fund for the purchase of books for the Library of Congress, to be expended one half for the purchase of law books and one half for the purchase of miscellaneous books for said library. Library of Congress. 1864, ch. 147. Vol. xiii. p. 148.

SEC. 5. *And be it further enacted*, That the President of the United States be, and hereby is, authorized to expend during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-six, so much of the appropriation of second March, eighteen hundred and sixty-one, as he may be deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the African slave-trade, for any services they may render, and for which no allowance is otherwise provided by law; and also so much of said appropriation as may be necessary to pay the salaries of the judges and arbitrators appointed by him, pursuant to the act of Congress approved July eleven, eighteen hundred and sixty-two, entitled "An act to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade," and for the expenses of the mixed courts of justice provided for by said treaty. Additional compensation to district attorneys and marshals for services in suppression of the slave-trade. 1861, ch. 84. Vol. xii. p. 219.

SEC. 6. *And be it further enacted*, That the authority to sell the property known as the Pennsylvania Bank building, in accordance with the acts approved June twenty-third, eighteen hundred and sixty, section two, Judges, arbitrators, and mixed courts. 1862, ch. 140. Vol. xii. p. 531.

Pennsylvania Bank building may be sold. 1860, ch. 100, § 2.

Vol. xii. p. 89.
1862, ch. 11, § 5.
Vol. xii. p. 369.

and March fourteenth, eighteen hundred and sixty-two, section five, is hereby conferred upon the Secretary of the Treasury: *Provided*, That the property be sold at public auction, and for a sum not less than one hundred and ten thousand dollars.

Clerks of assistant treasurer in Philadelphia.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to increase the clerical force in the office of the assistant treasurer of Philadelphia, and the aggregate salaries of said clerks shall not exceed the sum of nine thousand dollars, which amount is hereby appropriated out of any money in the treasury not otherwise appropriated.

Branch mint at California.

SEC. 8. *And be it further enacted*, That, in addition to the appropriations hereinbefore allowed for the branch mint at California, the following sums respectively are hereby, in like manner, appropriated, viz :

For wages of workmen and adjusters, sixty-nine thousand four hundred and fifty dollars.

For incidental and contingent expenses, repairs, and wastage, one hundred and six thousand five hundred and twenty-nine dollars and twenty-nine cents.

Arizona Territory.

SEC. 9. *And be it further enacted*, That in addition to the appropriations hereinbefore made for the Territory of Arizona, the following sums are hereby appropriated, viz :

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses, five thousand dollars.

For preparation and printing laws of the Territory, five thousand dollars.

Deficiency appropriations for

SEC. 10. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for deficiencies in the appropriations for the objects hereinafter expressed, viz :

officers, &c., of House of Representatives,

For compensation of the officers, clerks, messengers and others, receiving an annual salary in the service of the House of Representatives, one thousand four hundred and twenty-nine dollars and sixty-four cents.

For clerks of committees, and temporary clerks in the office of the Clerk of the House of Representatives, four thousand one hundred and eighty dollars.

For contingent expenses of the House of Representatives, viz :

For fuel and lights, pay of engineers, firemen, and laborers, repairs and materials, ten thousand dollars.

For furniture, repairs, and packing boxes, for members, twenty thousand dollars.

For pages and temporary mail boys, two thousand three hundred dollars.

For stationery, thirteen thousand four hundred and thirty-two dollars.

For folding documents, including materials, twenty-five thousand dollars.

For miscellaneous items, ten thousand dollars.

contingent expenses of Senate.

Contingent expenses of the Senate, namely :

For stationery, fifteen thousand dollars.

For clerks, pages, horses, carryalls, and so forth, twenty-seven thousand dollars.

For miscellaneous items, five thousand dollars.

For fuel and repairs of heating and ventilating apparatus, to be provided under the charge of the sergeant-at-arms, sixteen thousand two hundred and fifty dollars.

For furniture purchased, and repairs done by the Sergeant-at-arms, under the direction of the Committee to audit and control the contingent expenses of the Senate, twenty-three thousand five hundred dollars.

For additional labor in the folding room and around Senate chamber, five thousand dollars.

To supply a deficiency in the appropriation for the Capitol police under the act of April twenty-two, eighteen hundred and fifty-four, to be paid to the widow of David Vose, late a policeman in the crypt, being twenty per centum on his salary from December four, eighteen hundred and sixty-one, to July eight, eighteen hundred and sixty-four, five hundred and thirty-two dollars, to be expended under the direction of the Commissioner of public buildings.

Capitol police.

For salary of the Stenographer appointed under resolution of January fifth, eighteen hundred and sixty-five, three thousand and six hundred and fifty dollars.

Stenographer.

For additional compensation to laborers in the Clerk's office of the House of Representatives, the same as allowed by act of June twenty-fifth, eighteen hundred and sixty-four, seven hundred and thirty dollars.

1864, ch. 147.
Vol. xii. p. 147.

SEC. 11. *And be it further enacted*, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized to pay A. D. Collingsworth, O. H. Vedder, Edward R. Sherman, Charles C. Adams, Samuel W. Tucker, J. G. Adams, A. Bengiral, J. C. Parker, J. A. Odell, V. Barnes, T. H. Gladman, R. A. Cronin, T. N. Adams, J. C. Cleary, W. D. Lindsay, A. Jewett, jr., F. Cochin, B. C. Farless, J. P. Townsend, C. W. Odell, J. W. Morehead, S. P. Lee, W. H. Salter, James Cross, J. R. Creed, H. B. Rourke, E. A. Lipscomb, George Cottenham, C. A. Perkins, W. B. Cudlipp, S. S. Baker, J. M. Conroy, O. W. Boyden, J. O. Armes, J. Bellows, E. S. Brossius, J. J. Calvert, F. G. Calvert, G. D. Curtis, W. B. Dyer, D. A. Fish, A. H. Gillespie, R. B. Guillien, Charles Goheen, H. Holmes, G. C. Holliday, B. E. Messer, E. C. Messer, F. Madden, W. McKee, W. H. E. Ourand, L. P. Porter, P. W. Pearson, J. L. Rowland, C. V. Rotterden, E. J. Schale, E. J. Sweet, T. J. Schea, J. C. Williams, J. G. Wilson, L. K. Brown, J. H. Gunn, H. A. Dobson, J. A. McIntire, V. B. Munson, J. J. Dickens, W. E. Armes, J. C. Green, Lewis E. Rauterburg, and B. W. Parsons, employed by the deputy provost marshal of the District of Columbia in the enrolling office of said marshal, for night-work and especial service performed in pursuance of a contract between said clerks and said provost marshal, such accounts being properly certified upon the rolls, or by said deputy provost marshal, and the sum of three thousand three hundred and sixty dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated therefor.

Employees of
deputy provost
marshal of the
District of Co-
lumbia for spe-
cial service.

SEC. 12. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-five, out of any money in the treasury not otherwise appropriated:

Deficiency ap-
propriation for

For the compensation of the superintendent of the building occupied by the Quarter-master General, viz: for the fiscal year ending June thirty, eighteen hundred and sixty-five, and the present fiscal year, four hundred dollars.

Quarter-master
General's office.

For the Indian service in Utah, being for money advanced by Brigham Young, while governor and ex-officio superintendent of Indian affairs, found due and allowed by the Secretary of the Interior, thirty-eight thousand four hundred and eighty-seven dollars and fifty-three cents.

Indian service
in Utah.

For plates, engraving, printing, and paper for national currency notes, two hundred and fifty thousand dollars: *Provided*, That no portrait or likeness of any living person hereafter engraved, shall be placed upon any of the bonds, securities, notes, fractional or postal currency of the United States.

Plates, &c., for
national curren-
cy notes.
No portrait of
living person to
be engraved
thereon.

For making certain alterations in the custom-house building at Philadelphia, seven thousand four hundred and twenty-five dollars.

Custom-house
at Philadelphia.

For deficiency in the appropriation for fuel for the President's House and Capitol, six thousand dollars.

President's
house and capi-
tol.

Naval academy. To supply a deficiency in the appropriation for the naval academy for the fiscal year ending June thirty, eighteen hundred and sixty-six, one hundred and seventy-eight thousand and sixty-four dollars.

H. A. Klopfer. To pay H. A. Klopfer for ten months' service, as a laborer in the office of the Attorney General, at forty dollars per month, four hundred dollars.

Post-office, &c., building at Portland. For certain alterations to the post-office portion of the building in Portland, Maine, used for post-office, custom-house, and court-house, five thousand dollars: *Provided*, That no part of the money hereby appropriated for claims due for the construction and furnishing the Baltimore court-house, and for the payment of claims due for the repairs of the government warehouses and the construction wharves, Staten Island, New York, shall be paid for damages, and no payments whatever shall be made unless upon a full examination of the proper department of the government, and a certificate by the Attorney General that the said amounts to be paid are just, legal and proper.

Additional pay of females, &c. 1864, ch. 147, § 3. Vol. xiii. p. 160. SEC. 13. *And be it further enacted*, That such sum as may be required to pay the additional compensation provided by section three of "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending June thirtieth, eighteen hundred and sixty-five, and for other purposes," approved June twenty-fifth, eighteen hundred and sixty-four, up to and including the thirtieth day of June, eighteen hundred and sixty-six, be, and the same is hereby, appropriated.

Salaries of officers of the mint at Philadelphia, and assistant treasurers.

SEC. 14. *And be it further enacted*, That from and after the first day of April, eighteen hundred and sixty-six, there shall be paid annually, instead of the yearly salaries at present authorized, to the Director of the Mint at Philadelphia, four thousand five hundred dollars; to the Treasurer, three thousand five hundred dollars, and one thousand five hundred dollars for additional compensation as assistant treasurer of the United States; to the melter and refiner, three thousand dollars; to the assayer, three thousand dollars; to the assistant to the assayer, two thousand dollars; to the chief coiner, three thousand dollars; to the assistant to the chief coiner, two thousand dollars; to the engraver, three thousand dollars; to one clerk, two thousand five hundred dollars; to two clerks, two thousand dollars each; to four clerks, one thousand five hundred dollars each; to the treasurer of the branch mint at San Francisco, for salary as assistant treasurer of the United States, in addition to his salary as treasurer of said mint, one thousand five hundred dollars; to the assistant treasurer of the United States at New York, eight thousand dollars; to the assistant treasurer of the United States at Boston, five thousand dollars; to the assistant treasurer of the United States at Saint Louis, five thousand dollars; and the amount necessary to carry these provisions into effect for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, is hereby appropriated.

APPROVED, April 7, 1866.

April 7, 1866. CHAP. XXIX. — *An Act to provide Arms and Ammunition for the Defence of the Inhabitants of Dakota Territory.*

Arms and ammunition for defence of inhabitants of Dakota Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to issue, upon the requisition of the governor of Dakota Territory, such amount of ordnance and ordnance stores as may be necessary to arm the inhabitants of said Territory who may organize for defence against hostile Indians, not exceeding one thousand stand of small-arms and one hundred thousand rounds of ammunition, to be charged against the quota due, or to become due, to the Territory under the laws for arming and equipping the militia.

APPROVED, April 7, 1866.

CHAP. XXXI. — *An Act to protect all Persons in the United States in their Civil Rights, and furnish the Means of their Vindication.* April 9, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

Who are citizens of the United States;

their rights and obligations.

SEC. 2. *And be it further enacted,* That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in a condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

Penalty for depriving any person of any right protected by this act, by reason of color or race, &c.

SEC. 3. *And be it further enacted,* That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, affecting persons who are denied or cannot enforce in the courts or judicial tribunals of the State or locality where they may be any of the rights secured to them by the first section of this act; and if any suit or prosecution, civil or criminal, has been or shall be commenced in any State court, against any such person, for any cause whatsoever, or against any officer, civil or military, or other person, for any arrest or imprisonment, trespasses, or wrongs done or committed by virtue or under color of authority derived from this act or the act establishing a Bureau for the relief of Freedmen and Refugees, and all acts amendatory thereof, or for refusing to do any act upon the ground that it would be inconsistent with this act, such defendant shall have the right to remove such cause for trial to the proper district or circuit court in the manner prescribed by the "Act relating to habeas corpus and regulating judicial proceedings in certain cases," approved March three, eighteen hundred and sixty-three, and all acts amendatory thereof. The jurisdiction in civil and criminal matters hereby conferred on the district and circuit courts of the United States shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offences against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of the cause, civil or criminal, is held, so far as the same is not inconsistent with the Constitution and laws of the United States, shall be extended to and govern said courts in the trial and disposition of such cause, and, if of a criminal nature, in the infliction of punishment on the party found guilty.

Courts of the United States to have jurisdiction of offences under this act.

Suits commenced in State courts may be removed on defendant's motion.

-1865, ch. 90.
Vol. xiii. p. 507.

1863, ch. 87.
Vol. xii. p. 755.
Jurisdiction to be enforced according to the laws of the United States, or the common law, &c.

District attorneys, &c., to institute proceedings against all violating this act.

SEC. 4. *And be it further enacted*, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, the officers and agents of the Freedmen's Bureau, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as by this act has cognizance of the offence. And with a view to affording reasonable protection to all persons in their constitutional rights of equality before the law, without distinction of race or color, or previous condition of slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act; and such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act, as they are authorized by law to exercise with regard to other offences against the laws of the United States.

Number of commissioners appointed by circuit and territorial courts to be increased; their authority.

Marshals, &c., to obey all precepts under this act.

Penalty for refusal, &c.

Commissioners may appoint persons to execute warrants.

Authority of such persons.

Warrants to run where.

Penalty for obstructing process under this act;

for rescue, &c.;

for aiding to escape;

for harboring, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of the person upon whom the accused is alleged to have committed the offence. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States and the requirements of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; and the persons so appointed to execute any warrant or process as aforesaid shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the clause of the Constitution which prohibits slavery, in conformity with the provisions of this act; and said warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

SEC. 6. *And be it further enacted*, That any person who shall knowingly and wilfully obstruct, hinder, or prevent any officer, or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them, from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer, other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or

conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States for the district in which said offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States.

SEC. 7. *And be it further enacted*, That the district attorneys, the marshals, their deputies, and the clerks of the said district and territorial courts shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, inclusive of all services incident to such arrest and examination. The person or persons authorized to execute the process to be issued by such commissioners for the arrest of offenders against the provisions of this act shall be entitled to a fee of five dollars for each person he or they may arrest and take before any such commissioner as aforesaid, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioner, and in general for performing such other duties as may be required in the premises; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid out of the Treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

Fees of district attorneys, marshals, clerks, commissioner, &c.;

to be paid from the treasury of the United States, and to be recoverable from defendant when convicted.

SEC. 8. *And be it further enacted*, That whenever the President of the United States shall have reason to believe that offences have been or are likely to be committed against the provisions of this act within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney of such district to attend at such place within the district, and for such time as he may designate, for the purpose of the more speedy arrest and trial of persons charged with a violation of this act; and it shall be the duty of every judge or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

President may direct the judge, &c., to attend, &c., for the more speedy trial of persons charged with violating this act;

SEC. 9. *And be it further enacted*, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation and enforce the due execution of this act.

may enforce the act with the military and naval power.

SEC. 10. *And be it further enacted*, That upon all questions of law arising in any cause under the provisions of this act a final appeal may be taken to the Supreme Court of the United States.

Appeal to the supreme court of the United States.

SCHUYLER COLFAX,

Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,

President of the Senate, *pro tempore*.

In the Senate of the United States, April 6, 1866.

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and,

Bill passed over the veto of the President.

Resolved, That the said bill do pass, two-thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate.

In the House of Representatives U. S. April 9th, 1866.

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill:

Resolved, That the bill do pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWARD MCPHERSON, Clerk,
by CLINTON LLOYD, Chief Clerk.

April 10, 1866.

CHAP. XXXII. — *An Act granting to the State of Wisconsin a Donation of Public Lands to aid in the Construction of a Breakwater and Harbor and Ship Canal at the Head of Sturgeon Bay, in the County of Door, in said State, to connect the Waters of Green Bay with Lake Michigan, in said State.*

Grant of land to Wisconsin for breakwater, harbor, and ship canal.

Proviso. Selections, how made.

Lands subject to disposal of legislature, &c.

Canal to be public highway, &c.

Plans, &c., to be filed in departments.

Unless work is completed in three years, unsold lands revert to the United States.

Account to be kept; and when

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, granted to the State of Wisconsin for the purpose of aiding said State in constructing and completing a breakwater and harbor and ship canal to connect the waters of Green bay with the waters of Lake Michigan, two hundred thousand acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of said State, subject to the approval of the Secretary of the Interior, from lands subject to private entry: *Provided*, That said selections shall all be made from alternate and odd numbered sections of land nearest the location of said harbor and canal in said State not otherwise appropriated, and not from lands designated by the United States as "mineral" before the passage of this act, nor from lands to which the rights of pre-emption or homestead have attached.

SEC. 2. *And be it further enacted*, That the said lands hereby granted shall be subject to the disposal of the legislature of said State, or, if the legislature thereof shall not be in session, or shall adjourn within ten days after the passage and approval of this act, then said lands shall be subject to the disposal of the governor and board of commissioners of school, university, and swamp lands of said State, for the purposes aforesaid, and for no other; and the said canal shall be and remain a public highway for the use of the government of the United States, free from toll or charge upon the vessels of said government, or upon vessels employed by said government in the transportation of any property or troops of the United States.

SEC. 3. *And be it further enacted*, That before it shall be competent for said State to dispose of any of said lands, to be selected as aforesaid, the plan of said breakwater and harbor and the route of said canal shall be established, and a plat or plats thereof shall be filed in the office of the War Department, and a duplicate thereof filed in the office of the Commissioner of the General Land Office.

SEC. 4. *And be it further enacted*, That if the said breakwater, harbor, and canal, shall not be completed within three years from the passage of this act, the lands hereby granted and remaining unsold shall revert to the United States.

SEC. 5. *And be it further enacted*, That the legislature of said state shall cause to be kept an accurate account of the sales and net proceeds

of the lands hereby granted, and of all expenditures in the construction, repairs, and operating of said canal, and of the earnings thereof, and shall return a statement of the same annually to the Secretary of the Interior. And whenever said State shall be fully reimbursed for all advances made for the construction, repairs, and operating of said canal, with legal interest on all advances until the reimbursement of the same, or upon payment by the United States of any balance of such advances over such receipts from said lands and canal, with such interest, the said State shall be allowed to tax for the use of said canal only such tolls as shall be sufficient to pay all necessary expenses for the care, charge, and repair of the same.

work is paid for,
only such tolls,
&c.

SEC. 6. *And be it further enacted*, That said ship canal shall be at least one hundred feet in width, with a depth of water not less than thirteen feet.

Width and
depth of canal.

APPROVED, April 10, 1866.

CHAP. XXXIII. — *An Act to grant the Right of Way to the "Cascade Railroad Company" through a Military Reserve in Washington Territory.* April 10, 1866.

Whereas the Cascade Railroad Company, a corporation duly created and organized under the laws of Washington Territory, has constructed and put in operation a railroad on the Cascade Portage of the Columbia river, in said Territory, a portion of which said road is constructed through a military reserve of the United States; and whereas doubts have arisen as to the right to construct such road through said reserve and the validity of the charter of said company: Therefore,

Preamble

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, granted to the said Cascade Railroad Company a right of way of sixty feet in width along the line of said road as at present constructed and along the changes of location hereafter made to straighten and render said road safe, through the public lands of the United States, the military reserve, and the lands of private persons agreeing thereto, including all necessary grounds for stations, buildings, workshops, depots, machine shops, switches, side tracks, and wharves. And the charter of said company is hereby adopted and declared to be valid: *Provided*, That nothing in this act shall be so construed as to give said company the right to occupy for any purpose whatever more than sixty feet in width on the line of said road at any point or points where the space or pass between the river and bluff or mountain is so narrow as not to admit of the construction of another parallel railroad, turnpike, road, canal, or other public work for transportation of freight or passengers.

Right of way
granted to the
"Cascade Rail-
road Company"
through the pub-
lic lands and mil-
itary reserve.

Charter of the
company de-
clared valid.
Proviso.

APPROVED, April 10, 1866.

CHAP. XXXIX. — *An Act to amend an Act entitled "An Act to provide Ways and Means to support the Government," approved March third, eighteen hundred and sixty-five.* April 12, 1866.

1865, ch. 77.
Vol. xiii. p. 468.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide ways and means to support the Government" approved March third, eighteen hundred and sixty-five, shall be extended and construed to authorize the Secretary of the Treasury, at his discretion, to receive any Treasury notes or other obligations issued under any act of Congress, whether bearing interest or not, in exchange for any description of bonds authorized by the act to which this is an amendment; and also to dispose of any description of bonds authorized by said act, either in the United States or elsewhere, to such an amount, in such manner, and at such rates as he may think advisable, for lawful money of the United

The Secretary
of the Treasury
may receive
treasury notes,
&c., in exchange
for bonds, &c.;

may dispose of
the bonds in the
United States or
elsewhere;

in what
amount and at
what rates.

Public debt not to be increased.

Limit to amount of notes to be retired.

Former act to be in force, except, &c.

Secretary to report to Congress, &c.

States, or for any Treasury notes, certificates of indebtedness, or certificates of deposit, or other representatives of value, which have been or which may be issued under any act of Congress, the proceeds thereof to be used only for retiring Treasury notes or other obligations issued under any act of Congress; but nothing herein contained shall be construed to authorize any increase of the public debt: *Provided*, That of United States notes not more than ten millions of dollars may be retired and cancelled within six months from the passage of this act, and thereafter not more than four millions of dollars in any one month: *And provided further*, That the act to which this is an amendment shall continue in full force in all its provisions, except as modified by this act.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall report to Congress at the commencement of the next session the amount of exchanges made or money borrowed under this act, and of whom, and on what terms; and also the amount and character of indebtedness retired under this act, and the act to which this is an amendment, with a detailed statement of the expense of making such loans and exchanges.

APPROVED, April 12, 1866.

April 12, 1866. CHAP. XL. — *An Act to reimburse the State of Pennsylvania for Moneys advanced Government for War Purposes.*

Pennsylvania to be reimbursed for money paid to militia, &c.
1864, ch. 30.
Vol. xiii. p. 22.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to supply a deficiency in paying the army, under the act of March fourteenth, eighteen hundred and sixty-four, and to reimburse the State of Pennsylvania for money expended for payment of militia in the service of the United States, the sum of eight hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated: *Provided*, That before the same is paid, the claim of the said State shall be again examined and settled by the Secretary of War.

APPROVED, April 12, 1866.

April 12, 1866. CHAP. XLI. — *An Act to amend "An Act to incorporate the Mutual Fire Insurance Company of the District of Columbia."*

Charter of Mutual Fire Insurance Company amended.
1855, ch. 26, § 3.
Vol. x. p. 836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third section of an act entitled "An act to incorporate the Mutual Fire Insurance Company in [of] the District of Columbia," approved on the tenth day of January, eighteen hundred and fifty-five, be, and the same hereby is, so amended as to read fifty thousand dollars, in the place of twenty thousand dollars.

APPROVED, April 12, 1866.

April 13, 1866. CHAP. XLIV. — *An Act to establish the Collection District of Port Huron, the Collection District of Michigan, the Collection District of Montana and Idaho, and to change the Name of the Collection District of Penobscot.*

Collection District of Port Huron in Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new collection district, to be called the district of Port Huron, be, and the same is hereby, established in the State of Michigan, which shall embrace the mouth and entire shore of the Saint Clair river, and the counties of Saint Clair, Lapeer, Tuscola, and Saginaw, and all the territory and waters of the State of Michigan lying north of said counties and east of the principal meridian; and a collector shall be appointed to reside at Port Huron, which shall be the sole port of entry for said district. And the said collector shall receive the same compensation provided for the collectors of Pembina, Chicago, and certain other ports, by the second section of the act entitled "An

Pay of collector.

act to regulate the foreign coasting trade on the northern, northeastern, and northwestern frontiers of the United States, and for other purposes," approved June seventeen, eighteen hundred and sixty-four. And all the territory and waters of the said State of Michigan lying west of the said principal meridian, and not included in the district of Michilimackinac, are hereby made a separate district, to be called the district of Michigan, for which a collector, with the same compensation as above provided for the collector of Port Huron, shall be appointed to reside at Grand Haven, which shall be the sole port of entry for said district of Michigan.

1864, ch. 130, § 2.
Vol. xiii. p. 134.

District of
Michigan.

Pay of collector.

SEC. 2. *And be it further enacted*, That the Territories of Montana and Idaho, be, and the same are hereby, made a new collection district, to be called the district of Montana and Idaho; and that a collector, with the same salary as is above provided for each of the collectors of Port Huron and Michigan, shall be appointed to reside at the port of entry in said district, which shall be designated by the Secretary of the Treasury.

District of Mon-
tana and Idaho.

Collector, pay,
&c.

SEC. 3. *And be it further enacted*, That the collection district of Penobscot, in the State of Maine, shall hereafter be called the District of Castine.

District of Cas-
tine, Maine.

APPROVED, April 13, 1866.

CHAP. XLV. — *An Act making Appropriations for the Naval Service for the Year ending thirtieth June, eighteen hundred and sixty-seven.* April 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-seven;

Navy appropri-
ation.

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, nine millions three hundred and thirty-six thousand six hundred and thirty-eight dollars.

Pay of officers,
seamen, and en-
gineer corps.

For the payment of bounties to discharged seamen, eight hundred thousand dollars.

Bounties.

For the purchase of various articles of equipment, viz: canvas, leather, iron, cables, and anchors, oil, galleys, and stores, and for the payment of labor on articles manufactured in the navy yards, and for outfit stores in the navigators', boatswains', and sailmakers' department of vessels, one million dollars.

Equipment.

For surgeons' necessities and appliances for the sick and wounded of the navy, including the coast survey and engineer and marine corps, one hundred and sixty-eight thousand seven hundred and fifty dollars.

Surgeons' ne-
cessaries, &c.

For navigation apparatus and supplies, and for purposes incidental to navigation, one hundred and ninety-two thousand five hundred dollars.

Navigation ap-
paratus, &c.

For contingent expenses of the navy, two hundred and fifty thousand dollars.

Contingent ex-
penses.

Bureau of Yards and Docks. — For contingent expenses that may accrue for the following purposes, viz: For freight and transportation; for printing, advertising, and stationery; for books, maps, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and patent right to use the same; for repairs of steam-engines and attendance; for purchase and maintenance of oxen and horses, and driving teams; for carts, timber-wheels, and workmen's tools of every description for navy yard purposes; for telegrams and postage of letters on public service; for furniture for government offices and houses; for coals and other fuel; for candles, oil, and gas; for cleaning and clearing up yards; for flags, awnings, and packing-boxes; for pay of watchmen; for incidental labor at navy yards not applicable to any other appropriation; for rent of landing at Portsmouth, New Hampshire; for tolls and ferriages; for water tax; and for rent of stores, one million seven hundred and sixty thousand dollars.

Bureau of
yards and
docks.

Bureau of
equipment and
recruiting;

Bureau of Equipment and Recruiting. — For expenses that may accrue for the following purposes, namely: expenses of recruiting, travelling expenses of officers, transportation of men, printing and stationery, advertising in public newspapers, postage on public letters, wharfage and demurrage, apprehension of deserters, pilotage and towage of vessels, and assistance to vessels in distress, eight hundred thousand dollars.

of navigation;

Bureau of Navigation. — For contingent expenses of the Bureau of Navigation, viz: For freight and transportation of navigation materials, instruments, books and stores; for postage on public letters; for telegraphing on public business; for advertising for proposals; for packing boxes and materials: for blank-books, forms and stationery at navigation offices; for maps, charts, drawings and models: and for incidental expenses not applicable to any other appropriation, five thousand dollars.

of medicine
and surgery.

Bureau of Medicine and Surgery. — For contingent expenses of the Bureau of Medicine and Surgery, seventy-five thousand dollars.

Marine Corps.

Marine Corps. — For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; additional rations to officers for five years' service; for undrawn clothing, and bounties for enlistment, one million one hundred and seven thousand and sixty-six dollars and ninety-five cents.

For provisions, one hundred and sixty-nine thousand nine hundred and seven dollars and fifty cents.

For clothing, three hundred and fourteen thousand six hundred and sixty-three dollars and five cents.

For fuel, thirty thousand one hundred and seventeen dollars.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, sixteen thousand dollars.

For transportation of officers, their servants, troops, and expenses of recruiting, ten thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings, fifteen thousand dollars.

For contingencies, viz.: freight; ferriage; toll; cartage; wharfage; purchase and repair of boats; compensation to judge advocates per diem for attending courts-martial, courts of inquiry, and for constant labor; house-rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture, furniture for officers' quarters; bed sacks, wrapping paper, oil-cloth, crash, rope, twine, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital headquarters; repairs to fire-engine; purchase and repair of engine hose; purchase of lumber for benches, mess tables, and bunks; repairs to public carryall; purchase and repair of harness; purchase and repair of handcarts and wheelbarrows; scavenging; purchase and repair of galleys, cooking stoves, ranges; stoves where there are no grates; gravel for parade grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, eighty thousand dollars: *Provided*, That in the purchase of carpets and furniture provided for in this act they shall be of domestic manufacture.

Navy Yards.

NAVY YARDS.

Portsmouth.

Portsmouth, New Hampshire. — For iron foundery, five thousand nine hundred and forty-six dollars.

For shop for iron-cladding, sixteen thousand six hundred and thirty-two dollars.

For condensers, seven thousand six hundred and sixty dollars.

For road and timber slips, twenty-eight thousand three hundred and three dollars. Navy Yards.

For enlarging office building, nine thousand seven hundred and forty-eight dollars.

For fitting and furnishing plumber's, coppersmith's and tin shop, three thousand six hundred dollars.

For machinery and tools, forty-eight thousand one hundred dollars.

For repairs of all kinds, seventy thousand dollars.

For completing plumber's, coppersmith's, and tin shop, ten thousand dollars.

For the purchase of Seavey's Island, one hundred and five thousand dollars: *Provided*, That a perfect and approved title in fee to the whole island can be obtained and vested in the United States for that sum: *And provided further*, That in case the owners of lots and improvements on said island shall not agree to receive said sum for the whole of said island and the privileges and improvements thereunto belonging, the Secretary of the Navy is hereby required to discontinue the public use of the bridge and thoroughfare leading from said island to and across the navy yard, to take effect on the first day of January, eighteen hundred and sixty-seven. Purchase of Seavey's Island.

Provisos.

Boston. — For purchase of the right of drainage through the yard, now held by the city of Charlestown, twenty-five thousand dollars. Boston.

For one steam fire-engine, five thousand dollars.

For widening main entrance, twelve thousand dollars.

For tools for machine and forge shops, seventy-one thousand five hundred dollars.

For machinery for ropewalk, thirty-one thousand dollars.

For filling in a portion of timber-dock, forty thousand dollars.

For addition to stable, eight thousand dollars.

For repairs of all kinds, eighty-five thousand dollars.

New York. — For iron-plating shop, ninety-eight thousand nine hundred and twenty-two dollars. New York.

For receiving store, forty-seven thousand six hundred and three dollars.

For quay wall extension at sewer, one hundred thousand dollars.

For continuing the work on the new machine and boiler shop, one hundred thousand dollars.

For dredging channels, sixty-five thousand dollars.

For special repairs, twenty thousand five hundred dollars.

For repairs of all kinds, one hundred and sixteen thousand dollars.

For the purchase of the Ruggles property, ninety thousand dollars.

For protecting from destruction and decay the unfinished buildings and other structures already commenced, for which no appropriation is made in this bill, twenty thousand dollars.

Philadelphia. — For dredging channels, four thousand and twenty-eight dollars. Philadelphia.

For repairs of dry dock, forty-six thousand dollars.

For repairs of all kinds, fifty-eight thousand four hundred and eighty dollars.

For completing saw-mill, twenty-five thousand dollars.

For extending south pier one hundred feet, fifteen thousand dollars.

Washington. — For new paint-shop, eight thousand five hundred and eighty-three dollars. Washington.

For smithery, twelve thousand and sixty-two dollars.

For extension of iron foundry, eight thousand four hundred and forty-five dollars.

For machinery and tools, ninety thousand six hundred dollars.

For repairs of all kinds, sixty-one thousand six hundred dollars.

Norfolk. — For railway track and cars, eight thousand dollars. Norfolk.

- Navy Yards. For repair of wharves, two thousand five hundred dollars.
 For one Ames's wharf crane, three thousand dollars.
 For machinery and tools, fifty thousand dollars.
 For ship joiners' shop and timber shed number twelve, forty-five thousand dollars.
 For storehouse number fourteen, forty-six thousand dollars.
 For the protection of the property at Norfolk navy-yard, twenty thousand dollars or so much thereof as shall be necessary.
- Pensacola. *Pensacola, Florida.* — For muster office, eight thousand one hundred and four dollars.
 For new gate to dock basin, thirty thousand dollars.
 For pile engine, seven hundred dollars.
 For the preservation and necessary repairs of the property of the United States at the Pensacola navy yard, fifty thousand dollars, or so much thereof as may be necessary.
- Mare Island. *Mare Island, California.* — For foundry and boiler establishment, eighty-five thousand dollars.
 For cisterns, buildings sixty-eight and forty-five, seven thousand three hundred dollars.
 For quay-wall, fifty thousand dollars.
 For grading, twenty thousand dollars.
 For cistern and holder for gas works, two thousand five hundred dollars.
 For repairs of all kinds, fifty thousand dollars.

Hospitals.

HOSPITALS.

- Boston. *Boston.* — For repairs of buildings, roads, fences, cemetery, walls, stable, and furniture; painting, glazing, grounds, and miscellaneous items, ten thousand dollars.
- New York. *New York.* — For repairs of hospital buildings and appendages, roads, fences, walls, stables, and furniture; painting, glazing, cemetery, grounds, and miscellaneous items, ten thousand five hundred dollars.
- Laboratory at New York. *Laboratory, New York.* — For repairs of buildings and appendages, purchase and repairs of instruments, apparatus and machinery, painting, glazing, furniture, and miscellaneous items, three thousand five hundred dollars.
- Washington. 1864, ch. 30. Vol. xiii. p. 26. *Washington.* — For completing building authorized by act of Congress approved March fourteenth, eighteen hundred and sixty-four, including cost of enclosing premises, grading sidewalks, laying curbstones, together with the necessary out-buildings and their appurtenances, thirty thousand dollars.
- Annapolis. *Annapolis.* — For repairing hospital building, appendages, painting, glazing, furniture, and miscellaneous items, five thousand dollars.
- Norfolk. *Norfolk.* — For repairs of buildings, appendages, roads, fences, rebuilding sea-wall, painting and glazing, spouting and repairing roof, wharves and bridges, brick pavement, stable, furniture, floors of basement, improving grounds, and for miscellaneous items, twenty thousand dollars.
- Pensacola. *Pensacola.* — For repairs of building, appendages, painting, glazing, furniture, and miscellaneous items, ten thousand five hundred dollars.
- Mare Island. *Mare Island.* — For repairs of building, appendages, painting, glazing, furniture, and miscellaneous items, seven thousand five hundred dollars.

Miscellaneous.

MISCELLANEOUS.

- Civil establishments at navy yards.
 Pay of clerks at Portsmouth and Philadelphia.
 For pay of superintendent, naval constructors, and all the civil establishments of the several navy yards and stations, one hundred and forty-six thousand two hundred and thirty dollars. And the pay of the clerk of the yard and first clerk to naval storekeeper at each of the navy yards at Portsmouth, New Hampshire, and Philadelphia, shall be twelve hundred dollars per annum.

For testing the use of petroleum as a fuel under marine boilers, five thousand dollars. Petroleum as fuel.

For the construction of a levee on the river-front of the government property at Mound City, Illinois, seven thousand dollars. Levee at Mound City.

To pay mileage of visitors to the Naval Academy, one thousand dollars. Naval Academy.

For expenses of Naval Academy, viz: for pay of civil officers, professors, watchmen and others, contingent expenses, improvements and repairs, one hundred and ninety-eight thousand four hundred and twenty-nine dollars.

For the purchase of the land adjacent to the Naval Academy at Annapolis, belonging to the State of Maryland, and known as the government house and grounds, twenty-five thousand dollars.

For the purchase of other grounds at Annapolis for the use of the Naval Academy, twenty-five thousand dollars.

For the erection of a building suitable for the accommodation of the third and fourth classes at the Naval Academy, one hundred thousand dollars.

For the erection of a machine-shop at the Naval Academy, twenty thousand dollars.

For the increase of the library at the Naval Academy, two thousand dollars.

For the enlargement of the chapel at the Naval Academy, and for the erection of mural tablets therein to commemorate the memory of naval officers who have sacrificed their lives in the service of the country, seven thousand dollars.

NAVAL OBSERVATORY.

Naval Observatory.

For the pay of assistant astronomer, three aids, and clerk, eight thousand dollars.

For wages of instrument maker, two watchmen, porter, and messenger; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, light, office-furniture, and stationery, and for freight, transportation, postage, and incidental expenses, twelve thousand dollars.

For preparing for publication the American Nautical Almanac, fifteen thousand eight hundred and fifty dollars. American Nautical Almanac.

NAVAL ASYLUM, PHILADELPHIA.

Naval Asylum.

For furniture and repairs to same, one thousand dollars.

For house-cleaning and whitewashing, eight hundred dollars.

For furnaces, grates, and ranges, seven hundred dollars.

For gas and water rent, one thousand five hundred dollars.

For improvement of grounds, three hundred dollars.

For wharves and lots, eight hundred dollars.

For painting houses and walls, two thousand dollars.

For repairs of all kinds, one thousand dollars.

For support of beneficiaries, forty-eight thousand dollars.

SEC. 2. *And be it further enacted*, That so much of the first section of the act making appropriations for the naval service, approved May twenty-first, eighteen hundred and sixty-four, as appropriates two hundred and fifty thousand dollars "for bounties for destruction of enemies' vessels, as per act of July seventeenth, eighteen hundred and sixty-two," be amended so that said appropriation shall apply to all cases of destruction of enemies' vessels during the recent rebellion, and at the same rate as is provided in the act to which reference is made. Amendment of act 1864, ch. 93, § 1. Vol. xiii. p. 85. Bounties for destruction of enemies' vessels.

SEC. 3. *And be it further enacted*, That no portion of the amounts herein appropriated shall be paid in violation of the provisions of the act entitled "An act to prescribe an oath of office, and for other purposes," approved July second, eighteen hundred and sixty-two. No payments to those who do not take the oath. 1862, ch. 128. Vol. xii. p. 502.

Allowance to officers for rent of quarters, &c. 1835, ch. 27, § 2. Vol. iv. p. 757.

Navy agents abolished.

Examinations for Naval Academy.

Assistant in Bureau of Ordnance abolished.

Vacancies in grade of professor of mathematics not to be filled.

Survey of Behring's Straits, North Pacific, and China Seas. 1852, ch. 109, § 2. Vol. x. p. 104.

Transfer of appropriation to settle accounts of disbursing officer.

SEC. 4. *And be it further enacted*, That so much of the second section of an act entitled An act to regulate the pay of the navy of the United States, approved March three, eighteen hundred and thirty-five, as prohibits any allowance to any officer in the naval service for rent of quarters, or for furniture, or for lights, or fuel, or transporting baggage, and all acts and parts of acts authorizing the appointment of navy agents, be, and the same are hereby, repealed.

SEC. 5. *And be it further enacted*, That the examination of candidates for admission to the Naval Academy shall be held at such stated times as the Secretary of the Navy may direct.

SEC. 6. *And be it further enacted*, That the office of assistant in Bureau of Ordnance be, and the same is hereby, abolished.

SEC. 7. *And be it further enacted*, That hereafter no vacancy in the grade of professor of mathematics in the navy shall be filled.

SEC. 8. *And be it further enacted*, That the act approved August thirty-first, eighteen hundred and fifty-two, for "surveys an[d] reconnoissances, for naval and commercial purposes, of such parts of Behring's Straits of the north Pacific ocean, and of the China seas, as are frequented by American whale ships and by trading vessels in their routes between the United States and China," be, and the same is hereby, revived, and the Secretary of the Navy is hereby authorized and required to recommence and continue surveys and reconnoissances in the Pacific ocean, not yet fully examined, by using such vessels, officers, crews, outfits, and supplies of the navy, as may be necessary and available for that service.

SEC. 9. *And be it further enacted*, That, for the purpose of settling the accounts of disbursing officers of the navy, where payments for contingent expenses have been made from the appropriation for "the pay of the navy" prior to the passage of the act making appropriations for the fiscal year eighteen hundred and sixty-three-four, the Secretary of the Treasury be, and he is hereby, authorized to transfer from the appropriation for the pay of the navy to the appropriation for contingent, the sum of two hundred and forty-five thousand and nine hundred and four dollars and twelve cents.

APPROVED, April 17, 1866.

April 17, 1866.

CHAP. XLVI. — *An Act to reimburse the State of Missouri for Moneys expended for the United States in enrolling, equipping, and provisioning Militia Forces to aid in suppressing the Rebellion.*

Commissioners to ascertain amount of moneys expended by Missouri for State forces in suppressing the Rebellion.

Authority of commissioners.

Clerk.

Items of expenditure to be examined. What to be allowed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That immediately after the passage of this act the President shall by and with the advice and consent of the Senate appoint three commissioners, whose duty it shall be to ascertain the amount of moneys expended by the State of Missouri, in enrolling, equipping, subsisting, and paying such State forces as have been called into service in said State since the twenty-fourth day of August, eighteen hundred and sixty-one, to act in concert with the United States forces in the suppression of rebellion against the United States. And the said commissioners shall be authorized and required to sit as a board at some place in the State of Missouri, and shall be authorized to call witnesses before them and examine them under oath. And said commissioners shall be authorized to employ a clerk at a rate of compensation not to exceed fifteen hundred dollars per annum.

SEC. 2. *And be it further enacted*, That the commissioners so appointed shall proceed, subject to regulations to be prescribed by the Secretary of War, at once to examine all the items of expenditure made by said State for the purposes herein named, allowing only for disbursements made and amounts assumed by the State for enrolling, equipping, subsisting, and paying such troops as were called into service by the governor, at the request of the United States department commander commanding the dis-

strict in which Missouri may at the time have been included, or by the express order, consent, or concurrence of such commander, or which may have been employed in suppressing rebellion in said State, under the authority and command of federal officers. And no allowance shall be made for any troops which did not perform actual military service in full concert and co-operation with the authorities of the United States and subject to their orders.

What not to be allowed.

SEC. 3. *And be it further enacted*, That in making up said account, for the convenience of the accounting officers of the government, the commissioners shall state separately the amounts expended, respectively, for enrolling, equipping, arming, subsisting, and paying said troops, and from the aggregate amount they shall deduct the amount of direct tax due by the said State to the United States under the act entitled "An act to provide increased revenue from imports, pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one.

Certain amounts to be stated separately.

Amount of direct tax to be deducted.
1861, ch. 45.
Vol. xii. pp. 292, 295.

SEC. 4. *And be it further enacted*, That in the adjustment of accounts under this act the commissioners shall not allow for any expenditure or compensation for service at a rate greater than was at the time authorized by the laws of the United States and the regulations prescribed by the Secretary of War in similar cases.

Rate for service, &c.

SEC. 5. *And be it further enacted*, That so soon as said commissioners shall have made up said account and ascertained the balance, as herein directed, they shall make written report thereof, showing the different items of expenditure as hereinbefore stated, to the Secretary of the Treasury, and shall transmit all the testimony taken by said commissioners to the Secretary of the Treasury; and if upon an examination by the proper accounting officers of the Treasury the account shall be found to be just and correct, the same shall be paid.

Commissioners to make report, and transmit testimony to Secretary of Treasury.

Account to be paid, if correct.

SEC. 6. *And be it further enacted*, That the commissioners to be appointed as aforesaid shall, before proceeding to the discharge of their duties, be severally sworn that they will carefully examine the accounts existing between the United States and the State of Missouri, and that they will, to the best of their ability, make a just, true, and impartial statement thereof, as required by this act. They shall receive such compensation for their services as may be determined by the Secretary of the Treasury, not exceeding ten dollars per day for each day of actual service.

Commissioners to be sworn.

Their pay.

SEC. 7. *And be it further enacted*, That the sum of six million seven hundred and fifteen thousand and eighty-nine dollars and sixty-five cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated to carry this act into effect.

Appropriation.

APPROVED, April 17, 1866.

CHAP. XLVII. — *An Act to authorize the President of the United States to transfer a Gunboat to the Government of the Republic of Liberia.*

April 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to transfer to the government of the republic of Liberia any one of the gunboats now or hereafter included in the navy of the United States, her armament, tackle, apparel and furniture, which may be acceptable to that government, and can, in the judgment of the Secretary of the Navy, be conveniently spared for that purpose, and upon a valuation to be fixed by him.

Gunboat to be transferred to republic of Liberia at a valuation,

SEC. 2. *And be it further enacted*, That the Secretary of the Navy is authorized and directed to enter into a contract with any person duly empowered by the government of that republic, by which that government shall engage to repay to the United States the value of the gunboat to be

how to be repaid for.

transferred: *Provided*, That the contract shall stipulate for the full reimbursement to the United States of the value of such gunboat in annual instalments, not exceeding ten in number, with interest on each at six per centum per annum from the date of the contract.

APPROVED, April 17, 1866.

April 17, 1866. CHAP. XLVIII. — *An Act to provide that the "Soldier's Individual Memorial" shall be carried through the Mails at the usual Rate of Printed Matter.*

The "Soldier's individual memorial" to pass through the mails as printed matter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the ornamental records of the personal services of federal officers and soldiers, composed partly of written and partly of printed matter, but containing no private communications, and known as the "soldier's individual memorial," shall be allowed to pass through the mails upon the payment of the usual postage on printed matter.

APPROVED, April 17, 1866.

April 20, 1866. CHAP. LXIII. — *An Act to authorize the Sale of Marine Hospitals and of Revenue Cutters.*

Marine hospital buildings and land may be leased or sold.

See ch. 142.
Post, p. 76.

Appropriation of proceeds.
Proviso.

Certain revenue cutters may be sold.

Proceeds of sales.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to lease, or to sell at public auction, to the highest and best bidder, for cash, after due notice in the public newspapers, such marine hospital buildings and lands appertaining thereto as he may deem advisable, and he is hereby empowered to make, execute, and deliver all needful conveyances to the lessees or purchasers thereof respectively; and the proceeds of said leases and sales are hereby appropriated for the marine hospital establishment: *Provided*, That the hospitals at Cleveland, Ohio, and Portland, Maine, shall not be sold or leased, nor shall any hospital be sold or leased where no other suitable and sufficient hospital accommodations can be procured upon reasonable terms for the comfort and convenience of the patients.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to sell at public auction, to the highest and best bidder for cash, after due notice in the public newspapers, such of the revenue cutters as he shall find to be ill adapted to the purposes of the revenue service, and to expend the proceeds of said sales in the purchase or construction of other vessels better suited to the wants of said service.

APPROVED, April 20, 1866.

April 25, 1866. CHAP. LXV. — *An Act to issue American Registers to the Steam-Vessels "Michigan," "Dispatch," and "William K. Muir," and for other Purposes.*

American registers to the steamers

Michigan,
Dispatch,
William K.
Muir,
and to other
vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to issue American registers to the Canadian-built steamers "Michigan" and "Dispatch," and the American-built steamer "William K. Muir," of the collection district of Detroit; and American registers, or enrolment and license, to the following named vessels, that is to say, to the sloop "Jenny Lind of Wolf Island," of Oswego, New York; the schooners "Coquette of Oakville," "Trenton of Trenton," "Forest Queen," "Two Brothers of Wallaceburg," "Minetta of Gananoque," and "Elizabeth," of Oswego, New York; the barque "St. Elizabeth," of Provincetown, Massachusetts; the barques "Advance" and "Acorn," and schooner "Asia," of Chicago, Illinois; the barges "Harvest," "Ajax," and "Matilda," of Chicago, Illinois; the steamer "Prince Albert," of Georgetown, District of Columbia; the brig "Maitland," propeller "Niagara," and steamboat "Canadian," of Buffalo, New York; the schooner

"E. P. Ryerse," of Cleveland, Ohio; the schooner "Eureka," of Margareta, Ohio; the brigantine "City of Toronto," of Erie, Pennsylvania; and the schooner[r] "Wavertree," of Cleveland, Ohio; and American registers, or enrolment and license, to the following named vessels, that is to say, the ship "Screamer," of Brunswick, Maine; the barge "Mary," of Detroit; the steam-tug "Sampson," of Detroit; and the schooners "Cal-edonia," and "Enterprise," of Detroit; and the "Anglo-Saxon," a Canadian-built vessel.

APPROVED, April 25, 1866.

CHAP. LXVIII. — *An Act making Appropriations to supply Deficiency in the Appropriation for the Public Printing for the Fiscal Year ending June thirty, eighteen hundred and sixty-six.* April 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated to supply deficiencies in the appropriation for the public printing for the fiscal year ending thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated: Deficiency appropriation for public printing,

To supply a deficiency in the appropriation for the public printing, one hundred and fifteen thousand dollars. paper for public printing,

To supply a deficiency in the appropriation for paper for the public printing, four hundred and fifty thousand dollars.

To supply a deficiency in the appropriation for the public binding, ninety-five thousand dollars. public binding.

And the Superintendent of the Public Printing is hereby authorized to employ an additional clerk, of class four. Additional clerk.

APPROVED, April 26, 1866.

CHAP. LXX. — *An Act to facilitate the Settlement of the Accounts of the Treasurer of the United States, and to secure certain Moneys to the People of the United States, or to Persons to whom they are due, and who are entitled to receive the same.* May 2, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all amounts of moneys that are represented by certificates, drafts, or checks, issued by the Treasurer of the United States, or by any disbursing officer of any department of the government of the United States, upon the Treasurer or any assistant treasurer, or designated depository of the United States, or upon any national bank designated as a depository of the United States, and which shall be represented on the books of either such offices as standing to the credit of any disbursing officer, and bearing date prior to July first, eighteen hundred and sixty-three, and which were issued to facilitate the payment of warrants, or for any other purpose in liquidation of a debt due from the United States, which may remain outstanding on the first day of July, eighteen hundred and sixty-six, shall be deposited by the Treasurer of the United States, to be covered into the treasury by warrant, and to be carried to the credit of the parties in whose favor such certificates, drafts or checks were respectively issued, or to the persons who are entitled to receive pay therefor, and into an appropriation account to be denominated "outstanding liabilities." Drafts or checks standing to the credit of any disbursing officer, and dated prior to July 1, 1863, and outstanding July 1, 1866, to be deposited, &c., and called "outstanding liabilities."

SEC. 2. *And be it further enacted,* That the certificate of the Register of the Treasury, stating that the amount of any draft issued by the Treasurer of the United States, to facilitate the payment of a warrant directed to him for payment, and which may have so remained outstanding and unpaid for three years or more as aforesaid, and which shall have been thus deposited and covered into the treasury, shall be, and the same is hereby authorized to be, when attached to any such warrant, a sufficient voucher in satisfaction of any such warrant or part of any warrant, the Certificate of register stating amount of draft, &c., attached to any warrant, to be sufficient voucher, &c.

Appropriation for the redemption of outstanding certificates, &c.

Payee of drafts, &c., to have payment upon presentation.

This act to apply to all such certificates, &c., outstanding for three years, and to accounts of disbursing officers.

Accounts of disbursing officers, unchanged for three years, to be covered into the treasury, and credited.

The treasurer, assistant treasurers, &c., to report to the Secretary annually the condition of such accounts.

Report to state what.

Disbursing officers to report annually all checks issued, &c.

same as if the drafts correctly indorsed and fully satisfied were attached to such warrant or part of warrant. And all such moneys mentioned in this and in the preceding section shall remain as a permanent appropriation for the redemption and payment of all such outstanding and unpaid certificates, drafts and checks as aforesaid.

SEC. 3. *And be it further enacted*, That the payee, or the bona fide holder of any such draft or check, the amount of which has been so deposited and covered into the treasury, shall, on presenting the same to the proper officer of the treasury, be entitled to have it paid by the settlement of an account and the issuing of a warrant in his favor, according to the practice in other cases of authorized and liquidated claims against the United States.

SEC. 4. *And be it further enacted*, That at the termination of every fiscal year after this act shall begin to operate, the provisions thereof shall apply to all similar certificates, drafts, and checks, which shall then have for three years or more remained outstanding, unsatisfied and unpaid, and to all disbursing officers' accounts that shall have so remained unchanged, as in the next section provided for.

SEC. 5. *And be it further enacted*, That the amounts, except such as are provided for in the first section of this act, of the accounts of every kind of disbursing officer of the Government of the United States, which shall have remained unchanged, or which shall not have been increased by any new deposit thereto, nor decreased by drafts drawn thereon, for the space of three years, shall in like manner be covered into the treasury, to the proper appropriation to which they may belong, and the amounts thereof shall, on the certificate of the Treasurer of the United States that such amount has been deposited in the treasury, be credited by the proper accounting officer of the treasury on the books of the Treasury Department, to the officer in whose name it had stood on the books of any agency of the treasury, if it shall be made to appear that he is entitled to such credit.

SEC. 6. *And be it further enacted*, That for the purpose of giving force and effect to the full intent and meaning of this act, it shall be the duty of the Treasurer, and of all assistant treasurers, and of all designated depositaries of the United States, and of the cashiers of all national banks designated as such depositories, to report to the Secretary of the Treasury, at the close of business on the thirtieth day of June next, and in like manner at the close of business on every thirtieth day of June thereafter, the condition of every such account so standing, as in the preceding section specified, on the books of their respective offices, stating the name of each depositor, respectively, with his official designation, the total amount so remaining on deposit to his credit, and the dates, respectively, of the last credit and the last debit made to each of such accounts, respectively. And it shall be the duty of every and each disbursing officer in any and every department of the Government of the United States to make a like return of all checks issued by such officer, and which may then have been outstanding and unpaid for three years and more, stating fully in such report the name of the payee, for what purpose given, the office on which drawn, the number of the voucher received therefor, and the date, number, and amount for which it was drawn, and, when known, the residence of the payee.

APPROVED, May 2, 1866.

May 2, 1866.

Duties remitted or refunded on produce in transitu when reciprocity treaty expired.

CHAP. LXXI. — *An Act to remit and refund certain Duties.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and empowered to remit, or if paid to refund, any duties levied on produce shipped from a port of the United States to

a port of the United States, via Canada, if the said produce was actually in transitu and detained by ice when the recent reciprocity treaty with Canada expired.

APPROVED, May 2, 1866.

CHAP. LXXII. — *An Act to provide for the better Organization of the Pay Department of the Navy.*

May 3, 1866.

See ch. 131.

Post, p. 70.

Pay corps of the navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, the active list of the pay corps of the navy shall consist of eighty paymasters, forty passed assistant paymasters, and thirty assistant paymasters. Paymasters shall be regularly promoted and commissioned from passed assistant paymasters, and passed assistant paymasters from assistant paymasters, and all passed assistant paymasters authorized by this act to be appointed who have not heretofore been appointed and commissioned as assistant paymasters and all assistant paymasters hereby authorized to be appointed shall be selected from those who have served as acting assistant paymasters for the term of one year, and who were eligible to appointment in the grade of assistant paymasters when they were appointed acting assistant paymasters, as aforesaid; subject, however, to such examinations as are required by law, and such as may be established by the Secretary of the Navy.

Appointment of paymasters, passed assistant paymasters, &c.

Examinations.

SEC. 2. *And be it further enacted,* That passed assistant paymasters shall give bonds for the faithful performance of their duties in the sum of fifteen thousand dollars, and that their annual pay shall be, at sea, fifteen hundred dollars; on other duty, fourteen hundred dollars; on leave or waiting orders, twelve hundred dollars.

Bonds and pay of passed assistant paymasters.

APPROVED, May 3, 1866.

CHAP. LXXIII. — *An Act concerning the Boundaries of the State of Nevada.*

May 5, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as provided for and consented to in the constitution of the State of Nevada, all that territory and tract of land adjoining the present eastern boundary of the State of Nevada, and lying between the thirty-seventh and the forty-second degrees of north latitude and west of the thirty-seventh degree of longitude west of Washington, is hereby added to and made a part of the State of Nevada.

Boundaries of Nevada.

SEC. 2. *And be it further enacted,* That there is hereby added to and made a part of the State of Nevada all that extent of territory lying within the following boundaries, to wit: Commencing on the thirty-seventh degree of north latitude, at the thirty-seventh degree of longitude west from Washington; and running thence south on said degree of longitude to the middle of the river Colorado of the West; thence down the middle of said river to the eastern boundary of the State of California; thence northwesterly along said boundary of California to the thirty-seventh degree of north latitude; and thence east along said degree of latitude to the point of beginning: *Provided,* That the territory mentioned in this section shall not become a part of the State of Nevada until said State shall, through its legislature, consent thereto: *And provided further,* That all possessory rights acquired by citizens of the United States to mining claims, discovered, located, and originally recorded in compliance with the rules and regulations adopted by miners in the Pah-Ranagat and other mining districts in the Territory incorporated by the provisions of this act into the State of Nevada shall remain as valid subsisting mining claims; but nothing herein contained shall be so construed as granting a title in fee to any mineral lands held by possessory titles in the mining States and Territories.

State to give its assent.

Possessory rights to mining claims to remain valid.

Title in fee not granted.

APPROVED, May 5, 1866.

May 5, 1866.

CHAP. LXXIV. — *An Act to encourage Telegraphic Communication between the United States and the Island of Cuba and other West India Islands and the Bahamas.*

Preamble.

Whereas James A. Scrymser, Alfred Pell, junior, Alexander Hamilton, junior, Oliver K. King, Maturin L. Delafield, William F. Smith, and James M. Digges, their associates, successors, and assigns, persons composing the International Ocean Telegraph Company, an incorporated company chartered by the State of New York, are desirous of establishing a line of submarine telegraphic communication between the United States of America and the West India Islands and the Bahamas: Now, therefore, in order to facilitate the said enterprise —

International Ocean Telegraph Company to have sole privilege for fourteen years to lay and operate telegraph lines between Florida and Cuba, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said International Ocean Telegraph Company, incorporated under the laws of the State of New York, their successors and assigns, shall have the sole privilege for a period of fourteen years from the approval of this act, to lay, construct, land, maintain, and operate telegraphic or magnetic lines or cables in and over the waters, reefs, islands, shores, and lands, over which the United States have jurisdiction, from the shores of the State of Florida, in the said United States, to the Island of Cuba and the Bahamas, either or both, and other West India Islands.

The United States to have free use of such lines.

SEC. 2. *And be it further enacted,* That the said International Ocean Telegraph Company shall, at all times give the United States the free use of said cable or cables, to a telegraphic operator of its own selection, to transmit any messages to and from its military, naval, and diplomatic or consular agents; and the said company shall keep all its lines open to the public for the transmission for daily publication of market and commercial reports and intelligence, and all messages, despatches and communications shall be forwarded in the order in which they shall be received: and the said company shall not be permitted to charge and collect for messages transmitted through any of its submarine cables more than the rate of three dollars and fifty cents for messages of ten words, subject, however, to the power of Congress to alter and determine said rates: *Provided,* That the said International Ocean Telegraph Company shall, within the period of three years from the passage of this act, cause the said submarine telegraphic cable or cables to be laid down, and that the said cable or cables shall be in successful operation for the transmission of messages within the said period of five years; otherwise, this grant to be null and void.

Lines to be kept open, and messages sent in order of their reception.

Charges.

Lines to be laid in three years, and in operation in five years.

This act may be altered or repealed.

SEC. 3. *And be it further enacted,* That Congress shall have power, at any time, to alter or repeal the foregoing act.

APPROVED, May 5, 1866.

May 9, 1866.

CHAP. LXXV. — *An Act to extend the Jurisdiction of the Court of Claims.*

Court of Claims to hear and determine certain claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims shall have jurisdiction to hear and determine the claim of any paymaster, quartermaster, commissary of subsistence, or other disbursing officer of the United States, or of his administrators or executors, for relief from responsibility on account of losses by capture or otherwise, while in the line of his duty, of government funds, vouchers, records, and papers in his charge, and for which such officer was and is held responsible: *Provided,* That an appeal may be taken to the Supreme Court, as in other cases.

Appeal.

Decree, and its effect.

SEC. 2. *And be it further enacted,* That whenever said court shall have ascertained the facts of any such loss to have been without fault or neglect on the part of any such officer, it shall make a decree, setting forth the amount thereof, upon which the proper accounting officers of the treasury shall allow to such officer the amount so decreed as a credit in the settlement of his accounts.

APPROVED, May 9, 1866.

CHAP. LXXVI. — *An Act enlarging the Powers of the Levy Court of the County of Washington, in the District of Columbia.* May 9, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the levy court of the county of Washington, in the District of Columbia, is hereby empowered to declare and locate as public highways such roads known and used as military roads in said district during the rebellion as said court may deem advisable: *Provided,* That the damages which the owners of the land over which said roads pass shall sustain by reason of said roads being declared public highways, shall be assessed as provided for in section three of the act of Congress approved July first, eighteen hundred and twelve, entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia."

Levy Court may locate certain roads as public highways.

Damages.

1812, ch. 117, § 3.
Vol. ii. p. 771.

APPROVED, May 9, 1866.

CHAP. LXXIX. — *An Act to incorporate the National Theological Institute.*

May 10, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Abram D. Gillette, Edgar H. Gray, Edmund Turney, Zalman Richards, Robert J. Powell, William T. Johnson, Henry Beard, Charles H. Morse, Joseph C. Lewis, John S. Poler, David Rees, D. W. Anderson, Daniel C. Eddy, Leonard A. Grimes, Justice D. Fulton, William R. Williams, Isaac Westcott, Howard Malcolm, Joseph H. Kennard, Newton Brown, T. Dwight Miller, and all persons who shall or may be associated with them, and their successors, are hereby created and declared a body corporate and politic, in deed and in law, by the name of "The National Theological Institute," and by that name shall have succession and be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity and elsewhere; to make and use a common seal, and the same to alter or renew at pleasure; and generally to do and perform all things relative to the object of this corporation which is now and shall be lawful for any individual or body politic or corporate to do.

National Theological Institute incorporated.

Its powers.

Seal.

SEC. 2. *And be it further enacted,* That the object and purpose of this corporation shall be for the education of persons for the christian ministry, and those associated with them as assistants, in such course of theological and general studies as may be deemed proper for that purpose; and for that purpose is hereby authorized to elect or appoint such officers as may be deemed necessary or proper for the control of its affairs; to adopt such regulations and by-laws for its government as may be deemed necessary, not inconsistent with the laws of the United States in force in the District of Columbia, and to amend or repeal them at pleasure; to receive and hold any lands, tenements, annuities, moneys, goods, chattels, or other property of every kind or nature, which shall be given, granted, or bequeathed to it, or be otherwise acquired, for the purpose of carrying out the object of this corporation, not exceeding fifty thousand dollars in real estate at any one time; and the same to sell or dispose of in such manner as may be desired for the purpose aforesaid: *Provided,* That any property so acquired, or the proceeds thereof, or any money received as a gift, shall not be used for any other than such educational purposes: *And provided, also,* That no person shall be excluded from the advantages of education afforded by the institute on account of theological belief.

Purposes of corporation.

Officers.

By-laws.

Property, and how used.

Amount of real estate.

Theological belief not to exclude.

SEC. 3. *And be it further enacted,* That this act may at any time be altered, amended, or repealed.

Charter may be altered.

APPROVED, May 10, 1866.

May 11, 1866.

1863, ch. 81.
Vol. xii. p. 755.

Orders from proper officer to perform certain acts to be a defence to suits on account of such acts;

1863, ch. 81,
§§ 4-6.
Vol. xii. pp. 756,
757.

but not for acts done after the passage of this act.

Order, how proved.

Right of removal from State to United States Court, when it may be exercised.

Proceedings in State court to cease on filing petition, &c.

Subsequent acts in State court, void.

Damages.

Double costs.

Clerk of State court to furnish copies of papers, &c.

CHAP. LXXX. — *An Act to amend an Act entitled "An Act relating to Habeas Corpus, and regulating Judicial Proceedings in certain Cases," approved March third, eighteen hundred and sixty-three.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any search, seizure, arrest, or imprisonment made, or any acts done or omitted to be done during the said rebellion, by any officer or person, under and by virtue of any order, written or verbal, general or special, issued by the President or Secretary of War, or by any military officer of the United States holding the command of the department, district, or place within which such seizure, search, arrest, or imprisonment was made, done, or committed, or any acts were so done, or omitted to be done, either by the person or officer to whom the order was addressed, or for whom it was intended, or by any other person aiding or assisting him therein, shall be held, and are hereby declared, to come within the purview of the act to which this is amendatory, and within the purview of the fourth, fifth, and sixth sections of the said act of March third, eighteen hundred and sixty-three, for all the purposes of defence, transfer, appeal, error, or limitation provided therein. But no such order shall, by force of this act, or the act to which this is an amendment, be a defence to any suit or action for any act done or omitted to be done after the passage of this act.

SEC. 2. *And be it further enacted,* That when the said order is in writing, it shall be sufficient to produce in evidence the original, with proof of its authenticity, or a certified copy of the same; or, if sent by telegraph, the production of the telegram purporting to emanate from such military officer shall be prima facie evidence of its authenticity; or if the original of such order or telegram is lost or cannot be produced, secondary evidence thereof shall be admissible, as in other cases.

SEC. 3. *And be it further enacted,* That the right of removal from the State court into the circuit court of the United States, provided in the fifth section of the act to which this is amendatory, may be exercised after the appearance of the defendant and the filing of his plea or other defence in said court, or at any term of said court subsequent to the term when the appearance is entered, and before a jury is empannelled to try the same; but nothing herein contained shall be held to abridge the right of such removal after final judgment in the State court, nor shall it be necessary in the State court to offer or give surety for the filing of copies in the circuit court of the United States; but, on the filing of the petition, verified as provided in said fifth section, the further proceedings in the State court shall cease, and not be resumed until a certificate under the seal of the circuit court of the United States, stating that the petitioner has failed to file copies in the said circuit court, at the next term, is produced.

SEC. 4. *And be it further enacted,* That if the State court shall, notwithstanding the performance of all things required for the removal of the case to the circuit court aforesaid, proceed further in said cause or prosecution before said certificate is produced, then, in that case, all such further proceedings shall be void and of none effect; and all parties, judges, officers, and other persons, thenceforth proceeding thereunder, or by color thereof, shall be liable in damages therefor to the party aggrieved, to be recovered by action in a court of the State having proper jurisdiction, or in a circuit court of the United States for the district in which such further proceedings may have been had, or where the party, officer, or other person, so offending, shall be found; and upon a recovery of damages in either court, the party plaintiff shall be entitled to double costs.

SEC. 5. *And be it further enacted,* That it shall be the duty of the clerk of the State court to furnish copies of the papers and files in the case to the party so petitioning for the removal; and upon the refusal or neglect of the clerk to furnish such copies, the said party may docket the

case in the circuit court of the United States; and thereupon said circuit court shall have jurisdiction therein, and may, upon proof of such refusal or neglect of the clerk of the State court, and upon reasonable notice being given to the plaintiff, require him to file a declaration or petition therein; and upon his default may order a nonsuit, and dismiss the case at the costs of the plaintiff, which dismissal shall be a bar to any further suit touching the matter in controversy.

APPROVED, May 11, 1866.

If clerk does not furnish copies, case may be docketed in U. S. Court, and plaintiff ordered to file declaration, &c. therein.

Nonsuit, &c.

CHAP. LXXXI. — *An Act to authorize the Coinage of Five-cent Pieces.*

May 16, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, so soon as practicable after the passage of this act, there shall be coined at the mint of the United States a five-cent piece composed of copper and nickel, in such proportions, not exceeding twenty-five per centum of nickel, as shall be determined by the director of the mint, the standard weight of which shall be seventy-seven and sixteen hundredths grains, with no greater deviation than two grains to each piece; and the shape, mottoes and devices of said coin shall be determined by the director of the mint, with the approval of the Secretary of the Treasury; and the laws now in force relating to the coinage of cents, and providing for the purchase of material, and prescribing the appropriate duties of the officers of the mint and the Secretary of the Treasury, be, and the same are hereby, extended to the coinage herein provided for.

Five-cent pieces to be coined of copper and nickel.

Weight, shape, devices, &c.

Laws relating to coinage of cents, &c., to apply to this coinage.

SEC. 2. *And be it further enacted,* That all laws now in force relating to the coins of the United States, and the striking and coining of the same, shall, so far as applicable, be extended to the coinage herein authorized, whether said laws are penal or otherwise, for the security of the coin, regulating and guarding the process of striking and coining, for preventing debasement or counterfeiting, or for any other purpose. And the director of the mint shall prescribe suitable regulations to insure a due conformity to the required weights and proportions of alloy in the said coin, and shall order trials thereof to be made from time to time by the assayer of the mint, whereof a report shall be made in writing to the director.

Laws relating to coins extended to this act so far as applicable.

Regulations as to alloy.

SEC. 3. *And be it further enacted,* That said coin shall be a legal tender in any payment to the amount of one dollar. And it shall be lawful to pay out such coins in exchange for the lawful currency in the United States, (except cents, or half cents, or two-cent pieces, issued under former acts of Congress,) in suitable sums, by the treasurer of the mint, and by such other depositaries as the Secretary of the Treasury may designate, and under general regulations approved by the Secretary of the Treasury. And under the like regulations the same may be exchanged in suitable sums for any lawful currency of the United States, and the expenses incident to such exchange, distribution, and transmission may be paid out of the profits of said coinage; and the net profits of said coinage, as ascertained in the manner prescribed in the second section of the act entitled "An act relating to foreign coins and the coinage of cents at the mint of the United States," approved February twenty-first, eighteen hundred and fifty-seven, shall be transferred to the treasury of the United States: *Provided,* That from and after the passage of this act no issues of fractional notes of the United States shall be of a less denomination than ten cents; and all such issues at that time outstanding shall, when paid into the treasury or any designated depository of the United States, or redeemed or exchanged as now provided by law, be retained and cancelled.

To be legal tender to amount of a dollar.

To be paid in exchange for currency.

1857, ch. 56, § 2. Vol. xi. p. 163.

No fractional currency of less than ten cents to be issued, and old issues to be cancelled.

SEC. 4. *And be it further enacted,* That, if any person or persons not lawfully authorized shall knowingly make, issue, or pass, or cause to be made, issued, or passed, or aid in the making, issuing, or passing of any

Unauthorized making, &c., of such coins punished.

coin, card, token, or device whatsoever, in metal or its compound, intended to pass or be passed as money for the coin authorized by this act, or for coin of equal value, such person or persons shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, and by imprisonment for a term not exceeding five years, at the discretion of the court.

May be redeemed in sums of not less than one hundred dollars.

SEC. 5. *And be it further enacted*, That it shall be lawful for the treasurer and the several assistant treasurers of the United States to redeem in national currency, under such rules and regulations as may be prescribed by the Secretary of the Treasury, the coin herein authorized to be issued, when presented in sums of not less than one hundred dollars.

APPROVED, May 16, 1866.

May 16, 1866.

CHAP. LXXXII. — *An Act imposing a Duty on live Animals.*

Duty on live animals imported.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this act, there shall be levied, collected, and paid, on all horses, mules, cattle, sheep, hogs, and other live animals imported from foreign countries, a duty of twenty per centum ad valorem: *Provided*, That any such animals now bona fide owned by resident citizens of the United States, and now in any of the provinces of British America, may be imported into the United States free of duty until the expiration of ten days next after the passage of this act.

APPROVED, May 16, 1866.

May 16, 1866.

CHAP. LXXXIII. — *An Act to change the Place of holding the Courts of the United States for the northern District of Mississippi.*

Court in northern district of Mississippi to be held at Oxford.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts of the United States for the northern district of Mississippi, now required to be held at the town of Pontotoc, shall hereafter be held at the town of Oxford, in said State.

APPROVED, May 16, 1866.

May 16, 1866.
1864, ch. 6, § 2.
Vol. xiii. p. 420.

CHAP. LXXXIV. — *An Act to amend "An Act to establish the Grade of Vice-Admiral in the United States Navy."*

Vice-Admiral to have a secretary.

Rank and pay of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of an act to establish the grade of vice-admiral in the United States navy, approved December twenty-first, eighteen hundred and sixty-four, be, and the same is hereby, amended by adding thereto the following: "And he shall be allowed a Secretary, with the rank and sea pay and allowances of a lieutenant in the navy."

APPROVED, May 16, 1866.

May 18, 1866.

CHAP. LXXXV. — *An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other Purposes.*

Appropriation for Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the Post Office Department for the year ending June thirtieth, eighteen hundred and sixty-seven, out of any moneys in the treasury arising from the revenues of said department, in conformity to the act of the second of July, eighteen hundred and thirty-six:

For transportation of the mails, (inland,) nine million five hundred and fifty thousand dollars.	Transportation.
For transportation of the mails, (foreign,) six hundred thousand dollars.	
For ship, steamboat, and way letters, eight thousand dollars.	Ship, steamboat, &c., letters.
For compensation to postmasters, four million two hundred and fifty thousand dollars.	Compensation to postmasters.
For clerks for post offices, one million nine hundred and twenty thousand dollars.	Clerks for post offices.
For payment to letter-carriers, six hundred and forty thousand dollars.	Letter-carriers.
For wrapping paper, one hundred thousand dollars.	Wrapping paper and twine.
For twine, thirty thousand dollars.	
For letter balances, six thousand dollars.	Letter balances.
For compensation to blank agents and assistants, eight thousand dollars.	Blank agents.
For office furniture, six thousand dollars.	Furniture and advertising.
For advertising, eighty thousand dollars.	
For postage stamps and stamped envelopes, two hundred and fifty thousand dollars.	Postage stamps and stamped envelopes.
For mail depredations and special agents, one hundred thousand dollars.	Depredations and special agents.
For mail bags, one hundred and thirty thousand dollars.	Mail bags, locks, keys, &c.
For mail locks, keys, and stamps, thirty thousand dollars.	Foreign balances.
For payment of balances due to foreign countries, three hundred and fifty thousand dollars.	Miscellaneous payments.
For miscellaneous payments, three hundred and twenty thousand dollars.	
To enable the superintendent of the Naval Observatory to carry out the object of Senate resolution of March nineteenth, eighteen hundred and sixty-six, for report of Isthmus routes to the Pacific ocean, fifteen hundred dollars.	Isthmus routes to the Pacific.
SEC. 2. <i>And be it further enacted</i> , That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirtieth, eighteen hundred and sixty-seven, out of any money in the treasury not otherwise appropriated.	Additional appropriation.
For the mail steamship service between the United States and Brazil, one hundred and fifty thousand dollars: <i>Provided</i> , That this appropriation shall take effect only when Brazil shall have performed the condition on her part provided in the law authorizing said service.	Mail steamship service with Brazil; Proviso. 1865, ch. 98. Vol. xiii. p. 93.
For the mail steamship service between San Francisco, Japan, and China, for six months ending June thirtieth, eighteen hundred and sixty-seven, two hundred and fifty thousand dollars.	between San Francisco, Japan, and China.
For the overland mail transportation between Atchison and Folsom, and for marine mail transportation between New York and California, nine hundred thousand dollars.	Overland mail and marine mail to California.
SEC. 3. <i>And be it further enacted</i> , That the Postmaster-General be, and he is hereby, authorized to employ sailing vessels for the transportation of the mails between the ports of the United States and any foreign ports where the service may be facilitated thereby, allowing and paying therefor a compensation not exceeding the sea postages accruing on the mails so conveyed.	Sailing vessels may transport mails where, &c. Compensation.
SEC. 4. <i>And be it further enacted</i> , That the Postmaster-General be, and is hereby, required to report to the Secretary of the Treasury annually, prior to the first day of November of each year, his estimate of the money required for the service of the Post Office Department for the ensuing fiscal year; which estimate shall be reported to Congress with the printed estimates of appropriations required by the joint resolution of the seventh of January, eighteen hundred and forty-six.	Postmaster-General to report estimate for service of the department to Secretary of Treasury annually. Vol. ix. p. 108.
SEC. 5. <i>And be it further enacted</i> , That the balance of the appropri-	

Money order system.

1864, ch. 87, § 13.
Vol. xiii. p. 79.

Advertisements, proposals, &c., to be published in the two daily papers at Washington of largest circulation.

Charges.

Circulation how and when determined.

Charges.

tion of one hundred thousand dollars under the thirteenth section of an act "to establish a postal money order system," approved May seventeen, eighteen hundred and sixty-four, which may remain unexpended at the close of the current fiscal year, may be used as far as necessary to supply deficiencies in the proceeds of the money order system during the fiscal year commencing July first, eighteen hundred and sixty-six.

SEC. 6. *And be it further enacted*, That all advertising, notices, and proposals for contracts for the Post Office Department, and all advertising, notices, and proposals for contracts for all the Executive Departments of the Government, required by law to be published in the city of Washington, shall hereafter be advertised by publication in the two daily newspapers in the city of Washington having the largest circulation, and in no others: *Provided*, That the charges for such publications shall not be higher than such as are paid by individuals for advertising in said papers: *And provided also*, That the same publications shall be made in each of said papers equally as to frequency, and that the circulation of such papers shall be determined upon the tenth day of June annually; and the publishers of all papers competing for such advertising shall furnish a sworn statement of their bona fide paid circulation of each regular issue for the preceding three months; and shall in like manner certify under oath that such circulation has not, during the said three months, been increased by any gratuitous circulation, by a reduction in price below the ordinary and usual price of such papers, or by any other means, for the purpose of obtaining the official advertising: *Provided*, That the charge for such advertising shall not be greater than is paid for the same publications in other cities, or at a higher rate than is paid by individuals for like advertising.

Approved, May 18, 1866.

May 21, 1866.

CHAP. LXXXVI. — *An Act to prevent and punish Kidnapping.*

Carrying away, &c., any person, to sell him as a slave, &c., or persuading thereto or aiding therein, how punished.

Knowingly receiving on board, &c., of a vessel, any person for the purpose of carrying him away to be sold or held as a slave, how punished.

Vessel to be forfeited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall kidnap or carry away any other person, whether negro, mulatto, or otherwise, with the intent that such other person shall be sold or carried into involuntary servitude, or held as a slave; or if any person shall entice, persuade, or knowingly induce any other person to go on board any vessel or to any other place, with the intent that he or she shall be made or held as a slave, or sent out of the country to be so made or held, or shall in any way knowingly aid in causing any other person to be held, sold, or carried away, to be held or sold as a slave, he or she shall be punished, on conviction thereof, by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment not exceeding five years, or by both of said punishments.

SEC. 2. *And be it further enacted*, That if the master or owners, or person having charge of any vessel, shall receive on board any other person, whether negro, mulatto, or otherwise, with the knowledge or intent that such person shall be carried from any State, Territory, or district of the United States, to a foreign country, state, or place, to be held or sold as a slave, or shall carry away from any State, Territory, or district of the United States, any such person, with the intent that he or she shall be so held or sold as a slave, such master, owner, or other person offending, shall be punished by a fine not exceeding five thousand nor less than five hundred dollars, or by imprisonment not exceeding five years, or by both of said punishments. And the vessel on board which said person was received to be carried away shall be forfeited to the United States.

APPROVED, May 21, 1866.

CHAP. LXXXVII. — *An Act to establish a Post Route from West Alburgh, Vermont, to Champlain, in the State of New York, and for other Purposes.* May 21, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the railroad bridge across Lake Champlain at Rouse's Point, connecting the Ogdensburgh and Lake Champlain railroad, in the State of New York, with the Vermont and Canada railroad, in the State of Vermont, be, and is hereby, declared a lawful structure, and is, and shall be, recognized and known as a post route.

Railroad bridge at Rouse's Point declared a lawful structure, &c.

SEC. 2. *And be it further enacted,* That the Ogdensburgh and Lake Champlain Railroad Company, their successors or assigns, and the Vermont and Canada Railroad Company, their successors and assigns, are hereby authorized to keep up, maintain and use the said bridge, for the transportation of the mails, and for the benefit of the general commerce between said States and the transportation of persons and property. And in place of the float now in use forming part of said bridge, they or either of them may construct and maintain two suitable draws, one of which shall be at least sixty feet wide, and the other at least ninety feet wide, and which shall always be opened by the railroad company which constructs the same, whenever required for the passage of vessels, except during and for fifteen minutes prior to the passage of mail trains. And which draws shall be so constructed and managed as at all times to afford reasonable and proper facilities for the passage of vessels: *Provided,* That this act shall be subject to amendment or repeal at the pleasure of Congress.

by whom to be maintained.

Draws.

Act may be altered or repealed.

APPROVED, May 21, 1866.

CHAP. LXXXVIII. — *An Act amendatory of "An Act to provide for the Reports of Decisions of the Supreme Court of the United States."* May 21, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reporter of the decisions of the Supreme Court of the United States shall hereafter be allowed the term of eight months for the publication of his reports instead of six, as provided by the act of August twenty-nine, eighteen hundred and forty-two.

Decisions of Supreme Court of the United States to be published in eight months, &c. 1842, ch. 264. Vol. v. p. 545.

APPROVED, May 21, 1866.

CHAP. LXXXIX. — *An Act to regulate the Time and fix the Place for holding the Circuit Court of the United States in the District of Virginia, and for other Purposes.* May 22, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit court of the United States in the district of Virginia shall be held at the city of Richmond, commencing on the first Monday in May and on the fourth Monday of November, in each year; and the said court may adjourn its session, now authorized, from Norfolk to Richmond, and there hold the same, and transfer to said last-named place all records, files, process, and property pertaining to said court. And all proceedings and process in or issuing out of said court, which are, or may be, made returnable to any other times or places appointed for holding said court than herein prescribed, shall be deemed legally returnable on the days specified and at Richmond, and not otherwise; and all suits and other proceedings in said court which stand continued to any other time or place shall be deemed continued to the place and time prescribed by this act. And special or adjourned terms of said court may be held at such time and on such notice as may be ordered and prescribed by the Chief Justice of the Supreme Court of the United States, with the same power and jurisdiction as at regular terms. And said court, at any such regular, special, or adjourned terms,

Circuit Court in Virginia to be held in Richmond, on, &c.

may adjourn from Norfolk to Richmond.

Process.

Special, &c. terms.

shall have power to issue and enforce all writs and process, make all orders, and do all acts necessary for the due administration of justice and the exercise of their jurisdiction.

APPROVED, May 22, 1866.

May 24, 1866.

CHAP. XCVI. — *An Act to incorporate the Academy of Music of Washington City.*

The academy
of music of
Washington,
D.C. incorpora-
ted.

Subscription
books.

Seal and pow-
ers, &c. of corpo-
ration.

Directors.

Meetings of
stockholders,
&c.

First election.

President.

Quorum.

If election is
not held at regu-
lar time.

Vacancies.

Power of pres-
ident and direc-
tors.

Capital stock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Max Strakosch, William G. Pope, Max Maretzek, W. G. Metzertott, Joseph J. May, B. F. Isherwood, John G. Clark, Henry C. Sherman, Carl Bergman, and F. C. Adams, or any five of them, be, and they are hereby, authorized and empowered to receive subscriptions to the capital stock of a company to be denominated "The Academy of Music of Washington, D. C.," who shall open a book for that purpose in the city of Washington, at the time and place to be by them designated, of which they shall give five days' notice in two or more of the daily papers of said city, and shall keep the same open until ten thousand shares of fifty dollars a share each shall have been subscribed; and any person of lawful age, and a citizen of the United States, shall be permitted to subscribe upon paying five dollars on each share at the time of subscribing. And it shall be lawful for the said corporation to have a common seal, sue and be sued, plead and be impleaded, and have and exercise all the rights, privileges, and immunities, for the purpose of the corporation hereby created.

SEC. 2. *And be it further enacted, That* the affairs of the company shall be managed by nine directors, to be elected annually by ballot on the first Monday of October, by the stockholders or by their legally empowered agents; and each share of stock shall entitle the holders thereof to one vote; the election to be held at the office of the company at a general meeting of the stockholders convened for that purpose by ten days' public notice in two or more of the daily papers of the city of Washington: *Provided, That* the first election for directors shall be held pursuant to ten days' notice given in one or more papers of the city of Washington, by the persons named in the first section of this act, or any five of them, who shall designate the time when and the place where said election shall be held; and the stockholders shall then and there elect nine directors to serve until the next ensuing election, as provided for in this act. And at the first ensuing meeting of the directors after every election they shall appoint one of their number as president, who, together with themselves, shall hold office until the next ensuing election as herein provided for, and five members of said board shall compose a quorum. And in case that an election for directors should not be made when pursuant to this act it should have been made, the company for that cause shall not be dissolved, and it shall be lawful within forty days thereafter to hold and make an election for directors in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election take place. And in the event of death or resignation, or removal of any director from office, his place for the remainder of his term may be filled by the president and directors for the time being, in such manner as the by-laws may prescribe.

SEC. 3. *And be it further enacted, That* the president and directors shall have power to appoint a secretary and such other officers, agents, and clerks as may to them appear proper, to fix their compensation and pay the same.

SEC. 4. *And be it further enacted, That* the capital stock shall be called in and paid in such instalments and proportions, and at such times and places, as the president and directors for the time being may require and designate, who shall give fifteen days' notice thereof in two or more daily

papers of the city of Washington. And if any stockholders, subscribers, their assignees or transferees, shall refuse or neglect to pay such proportions or instalments, at the time and place appointed, such stockholders, subscriber, transferee, or assignee shall, at the option of the president and directors, forfeit to the use of the company all his, her, or their right, title, and interest in and to every share on which such instalment has not been duly paid; and fresh subscriptions may be opened for the same, in such manner as the by-laws may prescribe, or the president and directors may at their option commence suit for the same and proceed against the holder of said stock for the amount of the instalment or proportion so unpaid: *Provided*, That no stockholder or subscriber shall be permitted to vote at any election for directors, or at any general or special meeting of the company, on whose shares any instalments or arrearages may be due more than fifteen days previous thereto.

Refusal or neglect to pay instalments.

Stockholders in arrears not to vote.

SEC. 5. *And be it further enacted*, That the president and directors for the time being shall have power to ordain, establish, and put in execution such rules, regulations, ordinances, and by-laws as they may deem essential for the well government of the institution, not contrary to the laws and Constitution of the United States or of this act, and generally to do and perform all acts, matters, and things necessary to carry out the purposes of this corporation.

By-laws.

SEC. 6. *And be it further enacted*, That the president and directors are hereby empowered and fully authorized, on behalf of the company, to purchase and hold in fee simple, or lease for a term of years, real estate in the city of Washington sufficient to enable them to erect thereon a building suitable for operatic, dramatic, and other entertainments, in such manner, and upon such terms, as may be by them deemed for the best interests of the company.

Corporation may hold or lease real estate;

SEC. 7. *And be it further enacted*, That the said company are hereby authorized to borrow money to an amount not exceeding their capital stock, upon bonds to be issued by said company, secured upon their property and franchises: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, and bearing a greater rate of interest than seven per centum per annum.

may borrow money and issue bonds.

SEC. 8. *And be it further enacted*, That the president and directors shall, from time to time, divide so much of the profits of said company as to them may appear advisable, first deducting all expenses, and pay the same to the respective stockholders, or their agents duly empowered to receive the same.

Dividends.

SEC. 9. *And be it further enacted*, That the stock of said company shall be transferred on the books of the company in such manner only as the by-laws of the company may direct.

Transfers of stock.

SEC. 10. *And be it further enacted*, That nothing in this act shall be so construed as making it perpetual, but Congress may at any time alter, amend, or repeal the same.

Act may be altered, &c.

APPROVED, May 24, 1866.

CHAP. XCVII. — *An Act to amend the Charter of the Washington Gas-light Company.*

May 24, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the charter of the Washington Gas-light Company be, and the same is hereby, amended in the third section by substituting the word "February" for "January."

1848, ch. 96.
Vol. ix. p. 722.

SEC. 2. *And be it further enacted*, That the capital stock of said company be, and the same is hereby, increased five hundred thousand dollars, subject to the same liability as is provided in the eleventh section of the original act of incorporation, approved July eighth, eighteen hundred and forty-eight.

Charter of Washington Gas-light Company amended.

Capital stock increased.

APPROVED, May 24, 1866.

May 26, 1866. CHAP. C. — *An Act to authorize the Appointment of an additional Assistant Secretary of the Navy.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and empowered, by and with the advice and consent of the Senate, to appoint an additional Assistant Secretary of the Navy, who shall perform the same duties and receive the same salary as is by law allowed to the present Assistant Secretary of the Navy.

Office to last for six months. SEC. 2. *And be it further enacted,* That the office hereby created shall cease by limitation in six months from the approval of this act.

APPROVED, May 26, 1866.

May 30, 1866. CHAP. CII. — *An Act to repeal Section twenty-three of Chapter seventy-nine of the Acts of the Third Session of the Thirty-Seventh Congress, relating to Passports.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-three of an act entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth June, eighteen hundred and sixty-three, and for other purposes," be, and the same is hereby repealed. And hereafter passports shall be issued only to citizens of the United States.

APPROVED, May 30, 1866.

June 1, 1866. CHAP. CIII. — *An Act to define more clearly the Jurisdiction and Powers of the Supreme Court of the District of Columbia, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That writs of attachment and garnishments shall be issued by the clerk of the supreme court of the District, without any authority or warrant from any judge or justice, whenever the plaintiff, his agent or attorney, shall file in the clerk's office, whether at the commencement or during the pendency of the suit, an affidavit, supported by the testimony of one or more witnesses, showing the grounds upon which he bases his affidavit, and also setting forth that the plaintiff has a just right to recover against the defendant what he claims in the declaration, and also stating either, first, that the defendant is a non-resident of the District; or, second, that the defendant evades the service of ordinary process by concealing himself or by withdrawing from the District temporarily; or, third, that he has removed or is about to remove some of his property from the District, so as to defeat just demands against him; and shall also file his (the plaintiff's) undertaking, with sufficient surety or sureties, to be approved by the clerk, to make good all costs and damages which the defendant may sustain by reason of the wrongful suing out of the attachment: *Provided, however,* That if the defendant, his agent or attorney, shall file an affidavit traversing the said affidavit, the court shall determine whether the facts set forth in said plaintiff's affidavit are true, and that there was just ground for issuing said writ or warrant of attachment; and if the court shall deem the facts do not sustain the affidavit, he shall quash the writ of attachment or garnishment: and this issue may be tried by a judge at chambers on three days' notice. And the thing attached shall not be discharged from the custody of the officer seizing it until the defendant shall deliver, either to the officer or to the clerk, to be filed in the cause, his undertaking, with sufficient surety or sureties, to satisfy and pay the final judgment of the court against him; and in case the defendant be found liable to the plaintiff's claim, in whole or in part, the final judgment shall be that the plain-

Additional Assistant Secretary of the Navy.

Duties and salary.

Office to last for six months.

Repeal.

Passports to issue only to citizens.

Writs of attachment, &c., to be issued by clerk of Supreme Court of District, upon affidavit of plaintiff, &c., and giving surety for costs and damages;

may be quashed upon defendant's filing counter affidavit and after hearing by the Court.

Issue when to be tried.

Attached property not to be discharged unless defendant gives surety, &c.

Judgment, if for plaintiff.

tiff recover against the defendant and his surety or sureties; and if the defendant fail to execute such undertaking, the court may sell the thing attached whenever it is satisfied that it is the interest of the parties that it should be sold before final judgment.

Property attached may be sold.

SEC. 2. *And be it further enacted*, That from and after the passage of this act the annual salaries of the chief justice and associate justices of the supreme court of the District of Columbia, instead of the amount now fixed by law, shall be as follows: For the chief justice, four thousand and five hundred dollars, and for each of the associate justices, four thousand dollars.

Salaries of justices.

APPROVED, June 1, 1866.

CHAP. CIV.—*An Act to incorporate the Women's Hospital Association of the District of Columbia.* June 1, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Abram D. Gillette, Byron Sunderland, Charles H. Hall, George W. Sampson, J. N. Coombs, William B. Matchett, Henry D. Cooke, William W. Corcoran, Charles Knap, J. H. Thompson, Moses Kelley, Ansel St. John, Mrs. Adelaide J. Brown, Mrs. Mary W. Kelly, Elmira W. Knap, Mary C. Havenner, Mary Ellen Norment, Jane Thompson, Maria L. Harkness, Isabella Margaret Washington, Mary F. Smith, Mrs. Elmira W. Powell, and Mrs. Elizabeth Sampson, and their successors duly chosen, are hereby constituted and created a body corporate in the District of Columbia, by the name of the Columbia Hospital for Women and Lying-in Asylum.

Columbia hospital for women and lying-in asylum incorporated.

SEC. 2. *And be it further enacted*, That said corporation hereby constituted shall consist of twenty-four members. They shall have power to fill all vacancies created by death, resignation, or otherwise, and to make by-laws, rules, and regulations: *Provided*, That such by-laws, rules, and regulations are not repugnant to the Constitution or laws of the United States.

Members.
Vacancies.
By-laws.

SEC. 3. *And be it further enacted*, That the affairs of said corporation shall be under the control and management of a board of twelve directors, to consist of the first twelve of the above-named incorporators, or such further number as the duties of the corporation may require, such increase of numbers to be made by a vote of two-thirds of the existing board. The board of directors shall also have power to appoint all sub-committees necessary to the direction and efficiency of the institution hereby authorized to be established.

Directors.

SEC. 4. *And be it further enacted*, That the first twelve corporators named in the first section hereof, together with those who may be elected directors as provided in the preceding section, shall constitute the first board of directors, who shall from their number elect a president, two vice-presidents, a secretary, and treasurer; and seven of the directors, of whom the president or one of the vice-presidents shall be one, shall form a quorum for the transaction of business.

First board.

Officers.

Quorum.

SEC. 5. *And be it further enacted*, That the object of the association hereby incorporated is to found in the city of Washington a hospital and dispensary for the treatment of diseases peculiar to women, and lying-in asylum, in which those unable to pay therefor shall be furnished with board, lodging, medicine, and medical attendance gratuitously, and to that end full powers are hereby conferred on the association.

Objects of the association.

SEC. 6. *And be it further enacted*, That said corporation shall have power to accept, purchase, receive conveyances of, and hold property, either personal or real, to an amount necessary for the full accommodation, convenience, and support of the institution and those participating in its benefits.

Corporation may hold real and personal estate.

SEC. 7. *And be it further enacted*, That the property, personal or real,

Property exempt from taxation.

Act may be altered, &c.

so held by said corporation, shall be exempt from all taxes and assessments levied under act of Congress, or by authority of any municipal corporation or board within the District of Columbia.

SEC. 8. *And be it further enacted*, That Congress may at any time hereafter alter, amend, or repeal this act.

APPROVED, June 1, 1866.

June 1, 1866.

CHAP. CV.—*An Act to protect American Citizens engaged in lumbering on the St. Croix River, in the State of Maine.*

Certain produce of the forests may be admitted free of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the produce of the forests of the State of Maine upon the St. Croix river and its tributaries, owned by American citizens, and sawed in the province of New Brunswick by American citizens, (the same being unmanufactured in whole, or in part,) and having paid the same taxes as other American lumber on that river, shall be admitted into the ports of the United States free of duty, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

When act takes effect.

SEC. 2. *And be it further enacted*, That this act shall take effect from and after its passage.

APPROVED, June 1, 1866.

June 6, 1866.

CHAP. CVI.—*An Act supplementary to the several Acts relating to Pensions.*

Repeal of and substitute for.

1862, ch. 166.
Vol. xii. p. 566.
1864, ch. 247, § 5.
Vol. xiii. p. 387.
1865, ch. 84, § 3.
Vol. xiii. p. 499.

Persons losing both eyes, or both hands, &c., to have pension of \$25 a month;

losing both feet, or hand and foot, &c., to have \$20 a month.

Certain others to have \$15 a month.

Any pledge or transfer of any pension, or interest therein, void.

Oath of attorney to receive money for pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of an act entitled "An act supplementary to an act entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, and section three of an act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, be, and the same are hereby, repealed, and the following shall stand in lieu thereof: That, from and after the passage of this act, all persons by law entitled to a less pension than hereinafter specified, who, while in the military or naval service and in line of duty, shall have lost the sight of both eyes, or who shall have lost both hands, or been permanently and totally disabled in the same, or otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the constant personal aid and attendance of another person, shall be entitled to a pension of twenty-five dollars per month; and all persons who, under like circumstances, shall have lost both feet, or one hand and one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much so as to require constant personal aid and attention, shall be entitled to a pension of twenty dollars per month; and all persons who, under like circumstances, shall have lost one hand or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to render their inability to perform manual labor equivalent to the loss of a hand or a foot, shall be entitled to a pension of fifteen dollars per month.

SEC. 2. *And be it further enacted*, That any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension which has been, or may hereafter be, granted, shall be void and of no effect; and any person acting as attorney to receive and receipt for money for and in behalf of any person entitled to a pension shall, before receiving said money, take and subscribe an oath, to be filed with the pension agent, and by him to be transmitted, with the vouchers now required by law, to the proper accounting officer of the Treasury, that he has no interest in said money by any pledge, mortgage, sale, assignment, or transfer, and that he does not know or believe that the same has been so disposed of

to any person: and any person who shall falsely take the said oath shall be guilty of perjury, and, on conviction, shall be liable to the pains and penalties of perjury. False swearing to be perjury.

SEC. 3. *And be it further enacted*, That any person who shall present or cause to be presented at any pension agency any power of attorney, or other paper required as a voucher in drawing a pension, which paper shall bear a date subsequently to that on which it was actually signed or executed, such person so offending shall be deemed guilty of a high misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or by both, at the discretion of the court before whom such conviction shall be had, and no sum of money due, or to become due, to any pensioner under the laws aforesaid, shall be liable to attachment, levy or seizure by or under any legal or equitable process whatever, whether the same remains with the Pension Office or any officer or agent thereof, or is in course of transmission to the pensioner entitled thereto; but shall inure wholly to the benefit of such pensioner. Presenting any power of attorney at any pension agency, or any voucher, bearing a date subsequent to actual date, how punished.
Money due or to become due any pensioner not liable to attachment.

SEC. 4. *And be it further enacted*, That no claim agent or other person shall hereafter charge or receive more than twenty-five cents for preparing the papers necessary to enable a pensioner to receive a semi-annual payment of his pension, nor shall any pension agent charge or receive more than fifteen cents for administering an oath to a pensioner, or his attorney in fact, under a penalty of five dollars in each case. Fees of claim and pension agents.
Penalty.

SEC. 5. *And be it further enacted*, That section one of an act entitled "An act supplementary to the several acts relating to pensions," approved March three, eighteen hundred and sixty-five, is hereby repealed. Repeal of law forbidding invalid pensioners to draw pensions while receiving full salary.

SEC. 6. *And be it further enacted*, That if any person entitled to an invalid pension has died since March four, eighteen hundred and sixty-one, or shall hereafter die while an application for such pension is pending, and after the proof has been completed, leaving no widow and no minor child under sixteen years of age, his heirs or legal representatives shall be entitled to receive the accrued pension to which the applicant would have been entitled had the certificate been issued before his death. 1865, ch. 84, § 1. Vol. xiii. p. 499.
When heirs of persons entitled to invalid pensions may receive them.

SEC. 7. *And be it further enacted*, That in all cases when a commission shall have been regularly issued to any person in the military or naval service who shall have died or been disabled while in the line of duty, after the date of such commission, and before being mustered, such officer or other person entitled to a pension for such death or disability by existing laws shall receive a pension corresponding to his rank, as determined by such commission, the same as if he had been mustered: *Provided*, That this section shall not apply to any officer who shall have wilfully neglected or refused to be so mustered. Pensions of officers dying after date of commission, but before being mustered.
Proviso.

SEC. 8. *And be it further enacted*, That officers absent on sick leave, and enlisted men absent on sick furlough, shall be regarded in the administration of the pension laws in the same manner as if they were in the field or hospital. Absentees on sick leave or sick furlough.

SEC. 9. *And be it further enacted*, That the period of service of all persons entitled to the benefits of the pension laws, or on account of whose death any person may become entitled to a pension, shall be construed to extend to the time of disbanding the organization to which such persons belonged, or until their actual discharge for other cause than the expiration of the service of such organization. Period of service to extend to what time.

SEC. 10. *And be it further enacted*, That enlisted men employed as teamsters, wagoners, artificers, hospital stewards, farriers, saddlers, and all other enlisted men, however employed in the service of the army or navy, not specifically mentioned in the first section of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, shall be regarded, in the administration of the pension laws, as non-commissioned officers or privates. Enlisted men, however employed, to be treated as non-commissioned officers or privates.
1864, ch. 247, § 1. Vol. xiii. p. 387.

Pensions when not allowed to widows abandoning their children or when unsuitable to have custody of them.

Children to receive the pensions.

When orphan brother or sister may receive pension. 1862, ch. 166, § 4. Vol. xii. p. 567.

1864, ch. 247, § 6. Vol. xiii. p. 388, not modified.

No person to receive more than one pension at a time.

If claim for pension is not filed in three years, pension to commence from what date.

Repeal of 1864, ch. 247, § 14. Vol. xiii. p. 389.

Widows, &c., of colored soldiers, &c., may receive pensions, &c., upon what proof of marriage.

SEC. 11. *And be it further enacted*, That if any officer, soldier, or seaman shall have died of wounds received or of disease contracted in the line of duty in the military or naval service of the United States, leaving a widow and a child or children under the age of sixteen years, and it shall be duly certified under seal, by any court having probate jurisdiction, that satisfactory evidence has been produced before such court that the widow aforesaid has abandoned the care of such child or children, or is an unsuitable person, by reason of immoral conduct, to have the custody of the same, then no pension shall be allowed to such widow until said minor child or children shall have become sixteen years of age, any previous enactment to the contrary notwithstanding; and the minor child or children aforesaid shall be pensioned in the same manner as if no widow had survived the said officer, soldier, or seaman, and such pension may be paid to the regularly authorized guardian of such minor or minors.

SEC. 12. *And be it further enacted*, That section four of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, is hereby so amended that the provisions thereof shall apply to and include the orphan brother or brothers, as well as sister or sisters, under sixteen years of age, and the father as well as mother of a deceased officer or other person named in section one of the above entitled act, who were dependent upon him for support in whole or in part, subject to the same limitations and restrictions.

SEC. 13. *And be it further enacted*, That nothing in this or any other act shall be so construed as to repeal or modify the sixth section of an act entitled "An act supplementary to 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, or to entitle a person to receive more than one pension at the same time, and in every case in which a claim for pension shall not have been filed within three years after the discharge or decease of the party on whose account the claim is made, the pension, if allowed, shall commence from the date of filing the last paper in said case by the party prosecuting the same.

SEC. 14. *And be it further enacted*, That the fourteenth section of an act entitled "An act supplementary to an act entitled 'An act to grant pensions,' approved July fourteenth, eighteen hundred and sixty-two," approved July fourth, eighteen hundred and sixty-four, be, and the same is hereby, repealed, and that the widows and children of colored soldiers and sailors who have been or may be hereafter killed, or who have died or may hereafter die of wounds received or of disease contracted in the military or naval service of the United States, and in the line of duty, shall be entitled to receive the pensions, bounty, and back pay provided by law, without other evidence of marriage than proof, satisfactory to the Commissioner of Pensions, that the parties had habitually recognized each other as man and wife, and lived together as such; and the children born of any marriage so proved shall be deemed and taken to be the children of the soldier or sailor party thereto.

APPROVED, June 6, 1866.

June 8, 1866.

CHAP. CX. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-seven.*

Appropriations for Military Academy.

Pay, &c

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-seven:

For pay of officers, instructors, cadets, and musicians, one hundred and fifty-four thousand eight hundred and forty dollars.

For commutation of subsistence, four thousand five hundred and sixty-one dollars.

For pay in lieu of clothing to officers' servants, one hundred and fifty-six dollars.

For current and ordinary expenses, fifty-eight thousand dollars.

For increase and expense of library, two thousand dollars.

For expenses of board of visitors, three thousand dollars.

For forage for artillery and cavalry horses, fifteen thousand dollars.

For horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, five thousand dollars.

For targets and batteries for artillery practice, five hundred dollars.

For furniture for cadets' hospital, one hundred dollars.

For gas pipes, gasometers, and retorts, three hundred dollars.

For reflooring academic buildings and barracks, six thousand dollars.

For the purchase of fuel for warming mess hall, shoemakers' and tailors' shops, two thousand dollars.

For materials for quarters for subaltern officers, three thousand dollars.

For continuing the erection of memorial tablets and mural monuments to deceased officers of the regular army, and of volunteers; arranging and preserving trophies of war; and marking with proper inscriptions the guns captured during the rebellion, five thousand dollars.

For enlarging and improving the cemetery, and for repairing the enclosure thereof, five thousand dollars.

For the removal to a safe place, and reconstruction of the magazine, ten thousand dollars.

For ventilating and heating the barracks and other academic buildings; improving the apparatus for cooking for the cadets; repairing the hospital buildings, including the introduction of baths for the sick; the construction of water closets in the library building; and new furniture for the recitation rooms, twenty thousand dollars.

For the removal and enlargement of the gas works, six thousand dollars.

SEC. 2. *And be it further enacted*, That no person who has served in any capacity in the military or naval service of the so-called Confederate States during the late rebellion shall hereafter receive an appointment as a cadet at the Military or Naval Academy.

APPROVED, June 8, 1866.

CHAP. CXI. — *An Act making Appropriations to supply Deficiencies in the Appropriations for Contingent Expenses of the House of Representatives of the United States, for the Fiscal Year ending June thirty, eighteen hundred and sixty-six.* June 8, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated:

For miscellaneous items, ten thousand dollars.

For folding documents, seventeen thousand five hundred dollars.

For furniture and repairs, and packing boxes for members, ten thousand dollars.

For stationery, fifteen thousand dollars, for the fiscal year ending June thirty, eighteen hundred and sixty-six.

Approved, June 8, 1866.

CHAP. CXIV. — *An Act to amend the Postal Laws.*

June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first day of July, eighteen hundred and sixty-six, prepaid and free letters shall

Ordinary expenses.
Library.
Board of visitors.
Forage for horses.
Horses.
Repairs.
Targets, &c.

Memorial tablets, &c.

Cemetery.

Magazine.

Ventilation, heating, &c.

Gas works.

Who not to be appointed to Military or Naval Academy.

Deficiency appropriation for contingent expenses of the House of Representatives.

Prepaid and free letters to be forwarded upon request, &c.

Dead letters.

be forwarded, at the request of the party addressed, from one post office to another without additional postage charge; and returned dead letters shall be restored to the writers thereof free of postage.

Letters to be returned to writers without charge.
1863, ch. 71, § 28.
Vol. xii. p. 706.
1864, ch. 197, § 10.
Vol. xiii. p. 337.

SEC. 2. *And be it further enacted*, That the tenth section of the act entitled "An act to establish salaries for postmasters, and for other purposes," approved July one, eighteen hundred and sixty-four; and so much of the twenty-eighth section of the act entitled "An act to amend the laws relating to the Post Office Department," approved March three, eighteen hundred and sixty-three, as requires postage to be charged at the prepaid rate, to be collected on the return delivery of letters, indorsed with a request for their return to the writers, be, and the same are hereby, repealed; and all letters bearing such indorsement shall hereafter be returned to the writers thereof without additional postage charge.

Money orders for not over \$50.
1864, ch. 87, § 3.
Vol. xiii. p. 76.
Charges.

SEC. 3. *And be it further enacted*, That the third section of the act entitled "An act to establish a postal money-order system," approved May seventeen, eighteen hundred and sixty-four, be, and the same is hereby, amended so as to authorize the issuing of a money-order for any sum not to exceed fifty dollars, and that the charge or fee for an order for a sum not exceeding twenty dollars shall be ten cents; for an order exceeding twenty dollars shall be twenty-five cents.

Money order good for one year.

SEC. 4. *And be it further enacted*, That a money-order shall be valid and payable when presented to the deputy postmaster on whom it is drawn within one year after its date, but for no longer period; and in case of the loss of a money-order a duplicate thereof shall be issued without charge, on the application of the remitter or payee, who shall make the required proofs; and postmasters at all money-order offices are hereby authorized and required to administer to the applicant or applicants in such cases the required oath or affirmation free of charge.

Duplicate in case of loss.

Oath.

Railroads carrying the mails to convey printed matter, &c., without extra charge.

SEC. 5. *And be it further enacted*, That all railroad companies carrying the mails of the United States shall convey without extra charge, by any train which they may run over their roads, all such printed matter as the Postmaster-General shall, from time to time, direct to be transported thereon with the persons in charge of the mails designated by the Post Office Department for that purpose.

Wilful, &c., injury to mail matter deposited in letter box, &c., or aiding to injure, how punished.

SEC. 6. *And be it further enacted*, That if any person or persons shall wilfully and maliciously injure, deface, or destroy any mailable matter deposited in any letter-box, pillar-box, or other receiving boxes established by authority of the Postmaster-General of the United States for the safe deposit of matter for the mails or for delivery, or shall wilfully aid and assist in injuring such mailable matter so deposited as aforesaid, every such offender being thereof duly convicted shall, for every such offence, be fined not more than five hundred dollars, or be imprisoned not more than three years, at the discretion of the court.

Postmaster-General may modify contract for postage stamps, if, &c.

SEC. 7. *And be it further enacted*, That whenever it shall become expedient, in the opinion of the Postmaster-General, to substitute a different kind of postage stamps for those now in use, he shall be, and is hereby, authorized to modify the existing contract for the manufacture of postage stamps so as to allow to the contractors a sum sufficient to cover the increased expenses, if any, of manufacturing the stamps so substituted.

Readjustment of salaries of postmasters.
1864, ch. 197, § 2.
Vol. xiii. p. 336.

SEC. 8. *And be it further enacted*, That section two of the act entitled "An act to establish salaries for postmasters, and for other purposes," approved July one, eighteen hundred and sixty-four, be amended by adding the following: *Provided*, That when the quarterly returns of any postmaster of the third, fourth or fifth class show that the salary allowed is ten per centum less than it would be on the basis of commissions under the act of eighteen hundred and fifty-four, fixing compensation, then the Postmaster-General shall review and readjust under the provisions of said section.

SEC. 9. *And be it further enacted*, That whenever the Postmaster-Gener-

al shall require special agents of the Post Office Department to collect or disburse the public moneys accruing from postages, such special agent or agents, when so employed, shall, prior to entering upon such duty, give bond in such sum, in such form, and with such security, as the Postmaster-General may approve.

APPROVED, June 12, 1866.

Special collecting or disbursing agents to give bond.

CHAP. CXV. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence, for the Year ending June thirty, eighteen hundred and sixty-seven.* June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-seven :

Appropriations for fortifications.

For Fort Wayne, near Detroit, Michigan, fifty thousand dollars.	Fort Wayne.
For Fort Ontario, Oswego, New York, fifty thousand dollars.	Fort Ontario.
For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars.	Fort Montgomery.
For Fort Scammel, Portland, Maine, thirty-five thousand dollars.	Fort Scammel.
For Fort George, on Hog Island ledge, Portland, Maine, fifty thousand dollars.	Fort George.
For Fort Popham, Kennebec river, Maine, fifty thousand dollars.	Fort Popham.
For Fort Constitution, Portsmouth, New Hampshire, seventy-five thousand dollars.	Fort Constitution.
For Fort Winthrop, Boston, Massachusetts, thirty thousand dollars.	Fort Winthrop.
For Fort Warren, Boston, Massachusetts, twenty-five thousand dollars.	Fort Warren.
For sea-wall at Great Brewster's island, Boston harbor, Massachusetts, seventy-five thousand dollars.	Sea-wall at Great Brewster's;
For sea-walls on Deer and Lovell's islands, Boston harbor, Massachusetts, fifty thousand dollars.	on Deer and Lovell's islands.
For fort at entrance of New Bedford harbor, Massachusetts, thirty thousand dollars.	Fort at entrance of New Bedford Harbor.
For Fort Schuyler, East river, New York, thirty thousand dollars.	Fort Schuyler.
For fort at Willett's Point, opposite Fort Schuyler, New York, fifty thousand dollars.	Fort at Willett's Point.
For repairs of Fort Hamilton, New York, thirty thousand dollars.	Fort Hamilton.
For fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.	Fort Tompkins.
For fort at Sandy Hook, New Jersey, fifty thousand dollars.	Fort at Sandy Hook.
For repairs of Fort Mifflin, near Philadelphia, twenty-five thousand dollars.	Fort Mifflin.
For construction of permanent platforms for modern cannon of large calibre, in existing fortifications of important harbors, one hundred thousand dollars.	Platforms for modern cannon of large calibre.
For repairs of Fort Washington, on the Potomac river, twenty thousand dollars.	Fort Washington.
For Fort Monroe, Hampton Roads, Virginia, thirty thousand dollars.	Fort Monroe.
For Fort Taylor, Key West, Florida, one hundred thousand dollars.	Fort Taylor.
For Fort Jefferson, Garden Key, Tortugas, fifty thousand dollars.	Fort Jefferson.
For fort on Ship island, coast of Mississippi, ten thousand dollars.	Fort on Ship Island.
For Fort Clinch, Amelia island, Florida, fifty thousand dollars.	Fort Clinch.
For fort at Fort Point, San Francisco bay, California, one hundred and twenty-five thousand dollars.	Fort at Fort Point;
For fort at Lime Point, California, seventy-five thousand dollars.	at Lime Point;
For fort at Alcatraz island, San Francisco bay, California, ninety thousand dollars.	at Alcatraz Island.

Survey of northern and northwestern lakes.

Sites for permanent sea-coast defences.

Purchase not to be made until, &c.

For survey of northern and northwestern lakes, including Lake Superior, fifty thousand dollars.

For purchase of sites now occupied and lands proposed to be occupied for permanent sea-coast defences, provided that no such purchase shall be made except upon the approval of its expediency by the Secretary of War, and of the validity of title by the Attorney-General, thirty-five thousand dollars.

Approved, June 12, 1866.

June 12, 1866.

CHAP. CXVI. — *An Act authorizing documentary Evidence of Titles to be furnished to the Owners of certain Lands in the City of St. Louis.*

Preamble.
1812, ch. 99.
Vol. ii. p. 748.
Vol. ii. p. 812,
note.
Vol. xi. pp. 294,
442.
Vol. xii. p. 85.

Whereas within the city of Saint Louis, in the State of Missouri, there are many lots, tracts, pieces, and parcels of land which were confirmed by the act of Congress of June the thirteenth, eighteen hundred and twelve, on the ground of inhabitation, possession, or cultivation of the same prior to December the twentieth, eighteen hundred and three, and in some cases there is no adequate documentary evidence of said confirmations; and in consequence of the death of the ancient witnesses, who knew the facts of said inhabitation, possession, or cultivation, the owners of said lands, in said cases where there is no adequate documentary evidence of said confirmations, are without complete evidence of title to the same, as against the United States; and whereas persons holding grants and confirmations of lands in said city of Saint Louis, under other acts of Congress heretofore passed, may, in some cases, be without perfect documentary evidence of said grants or confirmations by the United States, and difficulties may hereafter arise therefrom, to the great injury of such persons: Therefore —

District court may decree the title of the United States in certain lots in St. Louis to the person having the best claim.

Certain property not to be released.

Not where full documentary evidence exists.

Proceedings to obtain a decree.

Who to be made defendants.

Minors.
Authority of district court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court of the United States for the eastern district of Missouri is hereby authorized, by proper decree, to declare released, granted, relinquished, and conveyed by the United States, in fee simple and in full property, all of the right, title, and interest of the United States in and to any lot, tract, piece or parcel of land within the city of Saint Louis, in the State of Missouri, to the person or persons having the best claim or claims to the same; but nothing in this act shall authorize said court to declare released, granted, relinquished, and conveyed, as aforesaid, any land within any wharf, street, lane, avenue, alley, or other public thoroughfare, or within the boundaries of any land which has been heretofore granted or assigned by the United States for the use or support of schools, or within the boundaries of any land heretofore lawfully confirmed or lawfully granted by the United States, where full, sufficient, and complete documentary evidence of such confirmation or grant now exists of record.

SEC. 2. *And be it further enacted,* That every person desiring a decree in his or her favor, under this act, shall file a petition in said district court, asking for such decree, and describing the land for which said decree is desired; and the United States and all persons claiming such land adversely to said petitioner (if there be any such adverse claimants) shall be made defendants in said cause; and if any party to any such cause shall be a minor under the age of twenty-one years, a guardian ad litem shall be appointed by said court for said minor; and said district court shall have full and complete power, jurisdiction, and authority to hear, try, and determine all questions arising in said cause relating to the claim of the petitioner, the extent, locality, and boundaries of said claim, and all other matters connected therewith or concerning the same; and said district court shall also have power to make, prescribe, and enforce such rules and regulations as may be necessary and proper to carry this act into full and complete execution.

SEC. 3. *And be it further enacted*, That a copy of every petition which shall be filed under this act, and a copy of the writ or process thereto attached, shall be delivered to the district attorney of the United States for said eastern district of Missouri, by the United States marshal for said district, which said delivery shall make the United States a party to the cause specified in such petition, without any other or further proceedings, notice, service, writ or process whatever; and said district attorney shall make such defence therein for the United States as in his opinion the public interest may require; but no answer or other pleadings filed by said attorney in such cause shall be required to be verified by oath or affirmation.

United States made a party by delivery of copy of petition and process thereon to, &c.

Defence, answer, pleadings.

SEC. 4. *And be it further enacted*, That for the purpose of more completely describing, identifying, and defining the boundaries, situation, and locality of any lot, tract, piece or parcel of land sought to be released, granted, relinquished and conveyed under this act, the said district court shall have power to cause an accurate survey, plat, and description thereof to be made by a competent person at the expense of the petitioner; and all of the expenses and costs of all suits and other proceedings under this act shall be paid by the respective petitioners, and the payment thereof may be enforced by execution or otherwise.

Surveys, &c., to be made of lands sought to be released, at expense of petitioner.

Costs of suits.

SEC. 5. *And be it further enacted*, That every decree which shall be rendered under this act in favor of any petitioner shall be deemed a full, sufficient, and complete release, grant, relinquishment, and conveyance, in fee simple and in full property, to such petitioner, and to his or her heirs and assigns, forever, of all the right, title, and interest of the United States in and to the land described in such decree.

Effect of decree.

SEC. 6. *And be it further enacted*, That whenever said district court or the circuit court shall render a final decree under this act, concerning any lot, tract, piece or parcel of land, such court shall cause to be transmitted to the commissioner of the general land office a full, true, and complete transcript of said final decree, and of the description or survey of said land.

Transcript of final decree, &c., to be sent to commissioner of general land office.

SEC. 7. *And be it further enacted*, That any party to any final decree rendered by said district court in any suit or cause commenced under this act may appeal from said final decree of said district court to the circuit court of the United States for the district of Missouri, at any time within one year from the time of the rendition of said final decree, and not after that time; and on the granting of said appeal, a full, true, and complete transcript of said final decree, and of the petition, and all other pleadings and proceedings in said cause, and of the evidence therein, shall be transmitted to said circuit court. And when said appeal shall have been completed, said circuit court shall have full and complete jurisdiction over said cause, and may allow the pleadings to be amended if necessary, and may admit new parties if necessary, and shall hear, try, and determine said cause de novo, without regarding any error, defect, or other imperfection in the proceedings of said district court, and shall render such final decree therein as the facts and the justice of said cause may require.

Appeal to circuit court within one year.

Transcript of petition, &c.

Jurisdiction of circuit court. Amendments. New parties.

Decree.

SEC. 8. *And be it further enacted*, That in case of any difference of opinion between the judges of the said circuit court upon any question arising in any such cause, the same may be certified to the supreme court of the United States, for its decision thereon as in other cases.

Question may be certified to supreme court of the United States when, &c.

SEC. 9. *And be it further enacted*, That all of the right, title, and interest of the United States in and to all of the wharves, streets, lanes, avenues, alleys, and other public thoroughfares which are situate, lying, and being within the corporate limits of the city of St. Louis, in the State of Missouri, shall be, and the same are hereby, granted, relinquished, and conveyed by the United States, in fee simple and in full property, to the said city of St. Louis, and to the successors and assigns forever of said city: *Provided, however*, That no individual rights or titles acquired previously hereto shall be in any manner impaired or prejudiced hereby.

Title of the United States in wharves, streets, &c., in St. Louis, conveyed to the city.

Proviso.

APPROVED, June 12, 1866.

June 12, 1866.

CHAP. CXVII. — *An Act to grant the Right of Way to the "Humboldt Canal Company" through the Public Lands of the United States.*

Right of way through public lands granted to Humboldt Canal Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way for a canal through the public lands of the United States lying in Humboldt county, State of Nevada, and the use of the land for tow-paths, cuttings, and embankments, to the extent of fifty feet on each side of the center of the canal, shall be, and is hereby, granted to the Humboldt Canal Company: *Provided,* That in cases where deep excavation or heavy embankment is required, such greater width, not exceeding two hundred feet, may be taken by said company as may be necessary.

Proviso.

Certain public lands may be flowed to create a reservoir.

SEC. 2. *And be it further enacted,* That, in order to create a reservoir for said company sufficient to feed said canal in all seasons, said company shall be, and is hereby, authorized, by a dam across the Humboldt river, at such point at or near the gap in the Fremont range of mountains through which said river passes, to flow so much of the public lands above said dam as may be required for the purpose of said reservoir.

Sites for wastegates, mill-sites, depots, &c.

SEC. 3. *And be it further enacted,* That there shall be, and is hereby, granted to said company the necessary sites along said canal for wastegates, mill-sites, depots, and other uses of said canal, so far as places convenient for the same fall upon the public lands, and also the privilege of discharging the waste waters of said canal over any public lands into the said Humboldt river, at such places as may be suitable for that purpose: *Provided,* That the proper officers of said company shall transmit to the commissioner of the general land office a correct plat of the survey and location of said canal, and of the sites needed for mills, depots, wastegates, and other uses of said canal, before the appropriation thereof for said uses shall become operative: *And provided further,* That unless thirty miles of said canal shall be excavated within one year, [and] the whole within three years, from the date hereof, the grants hereby made shall cease and determine: *And provided further,* That if said canal shall at any time after its completion be discontinued or abandoned by said company, the grants hereby made shall cease and determine, and the lands hereby granted shall revert to the United States: *And provided further,* That nothing in this act shall be so construed as to interfere with any grant of the right of way and of public lands heretofore made to any railroad company.

Proviso.

Plan of location, &c., to be sent to general land office.

This grant to cease, &c., unless, &c.

This grant not to interfere with former grants to any railroad-company.

APPROVED, June 12, 1866.

June 14, 1866.

CHAP. CXXII. — *An Act to regulate and secure the Safe-Keeping of public Money intrusted to Disbursing Officers of the United States.*

Disbursing officers to deposit public moneys with the treasurer or some assistant treasurer, to draw only as required.

Transfers to be by draft.

Deposits where to be made, if there is no treasurer or assistant.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be the duty of every disbursing officer of the United States having any public money intrusted to him for disbursement, to deposit the same with the treasurer or some one of the assistant treasurers of the United States, and to draw for the same only as it may be required for payments to be made by him in pursuance of law; and all transfers from the treasury of the United States to a disbursing officer shall be by draft or warrant on the treasury or an assistant treasurer of the United States: *Provided,* That in places where there is no treasurer nor assistant treasurer of the United States, the Secretary of the Treasury may, when he deems it essential to the public interest, specially authorize in writing the deposit of such public money in any other public depository, or, in writing, authorize the same to be kept in any other manner, and under such rules and regulations as he may deem most safe and effectual to facilitate the payments to public creditors.

SEC. 2. *And be it further enacted,* That if any disbursing officer of the

United States shall deposit any public money intrusted to him in any place or in any manner, except as authorized by law, or shall convert to his own use in any way whatever, or shall loan, with or without interest, or shall for any purpose not prescribed by law withdraw from the treasurer or any assistant treasurer, or any authorized depository, or shall for any purpose not prescribed by law transfer or apply any portion of the public money intrusted to him, every such act shall be deemed and adjudged an embezzlement of the money so deposited, converted, used, loaned, withdrawn, transferred, or applied, and every such act is hereby declared a felony, and upon conviction thereof shall be punished by imprisonment for a term not less than one year nor more than ten years, or by fine not more than the amount embezzled nor less than one thousand dollars, or by both such fine and imprisonment, at the discretion of the court.

Depositing public money, or converting, or loaning, or drawing, or transferring the same except as authorized, to be embezzlement.

Penalty.

SEC. [3.] *And be it further enacted*, That if any banker, broker, or any person, not an authorized depository of public moneys, shall knowingly receive from any disbursing officer, or collector of internal revenue, or other agent of the United States any public money on deposit or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States; or shall use, transfer, convert, appropriate or apply any portion of the public money for any purpose not prescribed by law; or shall counsel, aid, or abet any disbursing officer or collector of internal revenue or other agent of the United States in so doing, every such act shall be deemed and adjudged an embezzlement of the money so deposited, loaned, transferred, used, converted, appropriated, or applied; and any president, cashier, teller, director, or other officer of any bank or banking association who shall violate any of the provisions of this act shall be deemed and adjudged guilty of embezzlement of public money, and punished as provided in section two of this act.

Knowingly receiving from any disbursing officer or collector, any public money on deposit, or on a loan, or using such money for any unauthorized purpose, or aiding in so doing, to be deemed embezzlement.

Punishment of officers of banks for violating this act.

APPROVED, June 14, 1866.

CHAP. CXXIII. — *An Act to provide for the Settlement of Accounts of certain Public Officers.* June 15, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, all monies raised in the United States for the support of refugees or freedmen, and received by any officer of the United States army, shall be charged against such officer on the books of the Treasury Department and accounted for by him in like manner as if such monies had been drawn from the treasury of the United States, and if any part thereof shall have been expended for the use of refugees or freedmen, the same shall be passed to the credit of the officer, if, upon examination of his accounts, it shall appear to the proper accounting officer of the Treasury Department that the amount expended was properly disbursed for such refugees or freedmen, and on the adjustment of the accounts of the officer, if any balance shall remain in the hands of such officer the same shall be paid into the treasury of the United States, for a fund for the relief of refugees and freedmen. And any officer having such balance in his hands, who, after being duly required, shall refuse or neglect to pay over the same, or who shall, after due notice, fail to settle his account, shall be proceeded against in the same manner as is provided for by existing laws in the case of disbursing officers who neglect or refuse to account for monies drawn from the treasury of the United States.

Moneys received by any United States officer for the refugees or freedmen to be charged to him and accounted for.

Officers having a balance in their hands and neglecting or refusing to pay it over, &c., how treated.

SEC. 2. *And be it further enacted*, That where accounts are rendered for expenditures for refugees or freedmen under the approval and sanction of the proper officers, and which shall have been proper and necessary, but cannot be settled for want of specific appropriations, the

Accounts for expenditures for refugees, &c., to be paid from what fund, and how.

same may be paid out of the fund for the relief of refugees and freedmen, on the approval of the commissioner of the bureau of refugees and freedmen.

APPROVED, June 15, 1866.

June 15, 1866. CHAP. CXXIV. — *An Act to facilitate commercial, postal, and military Communication among the several States.*

Preamble.

Whereas the Constitution of the United States confers upon Congress, in express terms, the power to regulate commerce among the several States, to establish post roads, and to raise and support armies: Therefore: —

Steam railroads may carry over their road passengers and freight from one State to another and connect with roads of other States to form continuous lines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every railroad company in the United States, whose road is operated by steam, its successors and assigns, be, and is hereby, authorized to carry upon and over its road, boats, bridges, and ferries, all passengers, troops, government supplies, mails, freight, and property on their way from any State to another State, and to receive compensation therefor, and to connect with roads of other States so as to form continuous lines for the transportation of the same to the place of destination: *Provided,* That this act shall not affect any stipulation between the government of the United States and any railroad company for transportation or fares without compensation, nor impair or change the conditions imposed by the terms of any act granting lands to any such company to aid in the construction of its road, nor shall it be construed to authorize any railroad company to build any new road or connection with any other road without authority from the State in which said railroad or connection may be proposed.

Existing contracts and conditions not affected.

New roads not authorized without authority from State.

This act may be amended, &c.

SEC. 2. *And be it further enacted,* That Congress may at any time alter, amend, or repeal this act.

APPROVED, June 15, 1866.

June 18, 1866. CHAP. CXXVI. — *An Act to authorize the Commissioner of Patents to pay those employed as Examiners and Assistant Examiners the Salary fixed by Law for the Duties performed by them.*

Pay of those employed as examiners and assistant examiners in the patent office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of patents is hereby authorized to pay those employed in the patent office from April first, eighteen [hundred] and sixty-one, until the first day of August, eighteen hundred and sixty-five, as examiners and assistant examiners of patents, at the rates fixed by law for these respective grades; *Provided,* That the same be paid out of the patent office fund, and that the compensation thus paid shall not exceed that received by those duly enrolled as examiners and assistant examiners of patents for the same period.

To be taken from patent office fund, &c.

APPROVED, June 18, 1866.

June 21, 1866. CHAP. CXXVII. — *An Act for the Disposal of the Public Lands for Homestead Actual Settlement in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida.*

All public lands in certain States to be disposed of only according to the provisions of the homestead law. 1862, ch. 75. Vol. xii. p. 392. 1864, ch. 38. Vol. xiii. p. 35.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act all the public lands in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida shall be disposed of according to the stipulations of the homestead law of twentieth May, eighteen hundred and sixty-two, entitled "An act to secure homesteads to actual settlers on the public domain," and the act supplemental thereto, approved twenty-first of March, eighteen hundred and sixty-four, but with this restriction, that until the expiration of two years from and after the passage of this

act, no entry shall be made for more than a half-quarter section, or eighty acres; and in lieu of the sum of ten dollars required to be paid by the second section of said act, there shall be paid the sum of five dollars at the time of the issue of each patent; and that the public lands in said States shall be disposed of in no other manner after the passage of this act: *Provided*, That no distinction or discrimination shall be made in the construction or execution of this act on account of race or color: *And provided further*, That no mineral lands shall be liable to entry and settlement under its provisions.

No entry to be for more than 80 acres.

\$5 to be paid on issue of patent.

No distinction for race or color.

Mineral lands excepted.

SEC. 2. *And be it further enacted*, That section second of the above-cited homestead law, entitled "An act to secure homesteads to actual settlers on the public domain," approved May twentieth, eighteen hundred and sixty-two, be so amended as to read as follows: That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of five dollars, when the entry is of not more than eighty acres, he or she shall thereupon be permitted to enter the amount of land specified: *Provided, however*, That no certificate shall be given, or patent issued therefor, until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry, or, if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death, shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he will bear true allegiance to the government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided by law: *And provided further*, That in case of the death of both father and mother, leaving an infant child or children under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children, for the time being, have their domicile, sell said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States on the payment of the office fees and sum of money herein specified: *Provided*, That until the first day of January, eighteen hundred and sixty-seven, any person applying for the benefit of this act shall, in addition to the oath, hereinbefore required, also make oath that he has not borne arms against the United States, or given aid and comfort to its enemies.

Mode of procedure in applying for the benefit of this act. 1862, ch. 75, § 2. Vol. xii. p. 392.

Affidavit.

Payment of \$5.

No certificate to be given nor patent to issue, until after five years from entry.

Proof of residence or cultivation, &c.

Affidavit.

When rights enure to the benefit of infant children. Executor, &c., may sell.

Title of purchaser.

Additional oath prior to January 1, 1867.

Provisions of homestead law, &c., made applicable hereto.

SEC. 3. *And be it further enacted*, That all the provisions of the said homestead law, and the act amendatory thereof, approved March twenty-first, eighteen hundred and sixty-four, so far as the same may be applicable, except so far as the same are modified by the preceding sections of this act, are applied to and made part of this act as fully as if herein enacted and set forth.

APPROVED, June 21, 1866.

June 21, 1866.

CHAP. CXXVIII. — *An Act to reimburse the State of West Virginia for Moneys expended for the United States in enrolling, equipping, and paying Military Forces to aid in suppressing the Rebellion.*

Commissioners to ascertain the amount expended by West Virginia for State forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That immediately after the passage of this act the President shall appoint three commissioners whose duty it shall be to ascertain the amount of moneys expended by the State of West Virginia in enrolling, supplying, equipping, subsisting, transporting, and paying such State forces as have been called into service in said State since the twentieth day of June, eighteen hundred and sixty-one, to act in concert with the United States forces in the suppression of rebellion against the United States.

Duty of commissioners.

SEC. 2. *And be it further enacted,* That the commissioners so appointed shall proceed at once to examine all the expenditures made by said State for the purposes herein named, allowing only for disbursements made and amounts assumed by the State for enrolling, equipping, subsisting, transporting, supplying, and paying such troops as were called into service by the governor, at the request of the United States department commander commanding the district in which West Virginia may at the time have been included, or by the express order, consent, or concurrence of such commander, or which may have been employed in suppressing rebellion in said State. And no allowance shall be made for any troops which did not perform actual military service in full concert and co-operation with the authorities of the United States and subject to their orders.

No allowance except for actual service.

Certain amounts to be stated separately.

SEC. 3. *And be it further enacted,* That in making up said account, for the convenience of the accounting officers of the government, the commissioners shall state separately the amounts expended, respectively, for enrolling, equipping, arming, subsisting, transporting, and paying said troops, and from the aggregate amount they shall deduct the amount of direct tax due by the said State to the United States under the act entitled "An act to provide increased revenue from imports, pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one.

Amount of direct tax to be deducted.
1861, ch. 45.
Vol. xii. p. 292.

Rate of allowance for expenditures or services.

SEC. 4. *And be it further enacted,* That in the adjustment of accounts under this act the commissioners shall not allow for any expenditure or compensation for service at a rate greater than was at the time authorized by the laws of the United States in similar cases.

Commissioners to make report to Secretary of Treasury.

SEC. 5. *And be it further enacted,* That so soon as said commissioners shall have made up said account and ascertained the balance, as herein directed, they shall make written report thereof, showing the different items of expenditure, as hereinbefore stated, to the Secretary of the Treasury, who shall cause the same to be examined by the proper accounting officers of the treasury, and said officers shall audit the accounts as in ordinary cases; and if from their report it shall appear that any sum remains due to the said State, he shall draw his warrant for the same, payable to the governor of said State, and deliver it to him.

Accounts to be audited, and what is found due, if anything, to be paid.

Commissioners to be sworn.

SEC. 6. *And be it further enacted,* That the commissioners to be appointed as aforesaid shall, before proceeding to the discharge of their duties, be sworn that they will carefully examine the accounts existing between the United States and the State of West Virginia, and that they will, to the best of their ability, make a just, true, and impartial statement thereof, as required by this act. They shall receive such compensation for their services as may be determined by the Secretary of the Treasury.

Compensation.

Appropriation.

SEC. 7. *And be it further enacted,* That the sum of three hundred and sixty-eight thousand five hundred and forty-eight dollars and thirty-seven cents be, and the same is hereby, appropriated to carry this act into effect.

APPROVED, June 21, 1866.

CHAP. CXXIX. — *An Act to establish a Hydrographic Office in the Navy Department.* June 21, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be a hydrographic office attached to the bureau of navigation in the Navy Department, for the improvement of the means for navigating safely the vessels of the navy and of the mercantile marine, by providing, under the authority of the Secretary of the Navy, accurate and cheap nautical charts, sailing directions, navigators, and manuals of instructions, for the use of all vessels of the United States, and for the benefit and use of navigators generally.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy be, and he is hereby, authorized to cause to be prepared, at the hydrographic office attached to the bureau of navigation in the Navy Department, maps, charts, and nautical books relating to and required in navigation, and to publish and furnish them to navigators at the cost of printing and paper, and to purchase the plates and copyrights of such existing maps, charts, navigators, sailing directions and instructions, as he may consider necessary, and when he may deem it expedient to do so, and under such rules, regulations, and instructions as he may prescribe.

SEC. 3. *And be it further enacted,* That the moneys which may be received from the sale of all such maps, charts, and nautical books shall be returned by the Secretary of the Navy into the treasury of the United States, to be used in the further preparation and publication of maps, charts, navigators, sailing directions and instructions for the use of seamen, and to be sold at the rates as set forth in the preceding section.

APPROVED, June 21, 1866.

A hydrographic office to be attached to bureau of navigation in Navy Department.
Purposes thereof.

Maps, charts, &c., to be published and furnished to navigators at cost of printing and paper.
Copyrights to be purchased.

Money received from sales of maps, charts, &c., to be returned to treasury, and how used.

CHAP. CXXX. — *An Act to incorporate the "Howard Institute and Home" of the District of Columbia.* June 21, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James M. Edmunds, Sayles J. Bowen, Cordial Storrs, Augustin Chester, John R. Elvans, J. Sayles Brown, and Linus D. Bishop, and their associates and successors, are hereby declared to be a body politic and corporate, under the name and style of "The Howard Institute and Home" of the District of Columbia, and as such shall have perpetual succession, with power to receive, purchase, and hold real or personal property, and to be able to sue and be sued, and to plead and be impleaded in all courts of law and equity in the United States, and to ordain and establish such by-laws, ordinances, and regulations as may be deemed necessary to carry into effect this act, and promote the objects of the corporation hereby created.

SEC. 2. *And be it further enacted,* That the object for which this corporation is created is declared to be the establishment of a charitable institution for the instruction of freedmen in the industrial pursuits of life and fit them for independent self-support, and to afford a temporary home for such freedmen as may, from sickness, misfortune, age, or infirmity, require fostering care until otherwise relieved.

SEC. 3. *And be it further enacted,* That James M. Edmunds, Sayles J. Bowen, Cordial Storrs, Augustin Chester, John R. Elvans, J. Sayles Brown, and Linus D. Bishop, are hereby appointed a board of managers of said "Howard Institute and Home," for one year from and after the passage of this act; and that thereafter a board of managers, consisting of seven persons, shall be elected from and by the contributors to the means to establish said institution, for such time and according to such rules as said corporation may establish. And said board of managers shall have the exclusive control of all the property, real or personal, contributed or belonging to said corporation, and to appoint such officers as may be deemed requisite for the conduct of its business, for such time and at such salaries as they may determine, and to change either at pleasure.

The "Howard Institute and Home" of the District of Columbia incorporated.

Powers.

Objects.

Board of managers for one year.

Board to be afterwards elected.

Power of board.

Corporation to be established and maintained by gifts, &c.

Record thereof to be kept.

Annual report to Secretary of Interior.

Act may be altered, &c.

SEC. 4. *And be it further enacted*, That the corporation hereby created shall be established and maintained by voluntary contributions, gifts, donations, or bequests of money and other property, made to the same for that purpose. And the board of managers shall cause a record to be kept of all such contributions, gifts, donations, and bequests, with the name and residence of each person making the same, and of all expenditures made by said board for the establishment and conduct of said institute and home, and make an annual report of the same, exhibiting the several items of expenditure and objects thereof, and generally the work accomplished by said corporation, to the Secretary of the Interior, a copy of which report shall be sent to each individual who shall have contributed not less than five dollars to said corporation during the year previous to the issuing of said report.

SEC. 5. *And be it further enacted*, That Congress may, at any time, alter, amend, or annul this act.

APPROVED, June 21, 1866.

June 21, 1866.
1866, ch. 72.
Ante, p. 43.
Paymasters under the act of May 3, 1866, may be appointed from, &c.

CHAP. CXXXI. — *An Act to regulate the Appointment of Paymasters in the Navy, and explanatory of an Act for the better Organization of the Pay Department of the Navy.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointments to be made under the act entitled "An act to provide for the better organization of the pay department of the navy," approved May third, eighteen hundred and sixty-six, may be made from the number of acting assistant paymasters of the navy who performed duty as acting assistant paymasters during the war, and who at the time of their appointment under this act shall not be over the age of thirty-two years.

Examination of such officers as are on duty abroad may be waived; to be made after their return home.

SEC. 2. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to waive the examination of such officers in the pay department of the navy as are on duty abroad, and cannot at present be examined, as required by law: *Provided*, That such examinations as are required by law shall be made as soon as practicable after the return of said officers to the United States, and no officer found to be disqualified shall receive the promotion contemplated in the act herein referred to.

APPROVED, June 21, 1866.

June 21, 1866.

CHAP. CXXXII. — *An Act authorizing the Restoration of Commander Charles Hunter to the Navy.*

Commander Charles Hunter to be restored to his rank in the navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to restore Charles Hunter late a commander in the navy, to the position which he held on the retired list of the navy when dismissed therefrom.

APPROVED, June 21, 1866.

June 23, 1866.

CHAP. CXXXVIII. — *An Act making Appropriations for the Repair, Preservation, and Completion of certain Public Works heretofore commenced under the Authority of Law, and for other Purposes.*

Appropriation for the repair, preservation, and completion of certain public works.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction and superintendence of the Secretary of War, for the repair, preservation, and completion of the following works, heretofore commenced under the authority of law, and for the other purposes hereinafter named, that is to say:

For examination and survey of works of improvement for which appropriations have been heretofore made, and concerning which no sufficient information is now in possession of the department, and for examination and survey at other points in the fourth section of this act specified, that is to say, on the Atlantic coast thirty thousand dollars; on the Pacific coast twenty-five thousand dollars; on the northwestern lakes one hundred thousand dollars; on the western and northwestern rivers one hundred thousand dollars. And the Secretary of War, when the public interests require it, shall cause examinations or re-examinations to be made, with suitable surveys of the works aforesaid, and all other works provided for by this act, and shall make such changes or modifications of the plans heretofore adopted for their improvement as shall be necessary and proper. And he shall cause such needful examination of other harbors and places in the fourth section of this act specified, upon the sea and lake coasts, and on western rivers, to be made as will enable him to determine what improvements thereof are required to render them safe and convenient for the navigation of the naval and commercial vessels of the United States and the cost of such improvements, and he shall make full report thereof, and of the plans deemed advisable therefor, to Congress, at the commencement of the next session, for such action as may be judged expedient and right. And if, upon such examination and survey of works first herein named, being works now existing or in process of completion, and concerning which no sufficient information is now in the possession of the department, there shall remain an unexpended balance of appropriation properly applicable thereto from the sums herein appropriated, which may, in the judgment of the Secretary of War, be judiciously applied toward the economical and needful continuation or completion of such works, the Secretary of War shall direct such balance to be applied and used accordingly; but no moneys shall be used for such purposes, excepting from the balances remaining from appropriations herein made for the specific examination and survey of such works.

Examinations and surveys.

Re-examinations and changes in plans.

Examination of harbors, to determine improvements, &c., necessary to make them safe for navigation.

Report to Congress.

Application of certain unexpended balances.

For extending the breakwater at Portland harbor, Maine, one hundred and five thousand one hundred and eleven dollars and five cents.

Breakwater at Portland harbor, Me.
Hudson river.

For improvement of navigation of Hudson river, New York, fifty thousand dollars.

For preservation of Provincetown harbor, Massachusetts, forty-three thousand and sixty-eight dollars and forty-four cents.

Provincetown harbor.

For improvement of Thames river, Connecticut, ten thousand dollars.

Thames river.

For extension and repair of breakwater at Burlington, Vermont, twenty-seven thousand six hundred and seventy-two dollars and twenty cents.

Breakwater at Burlington, Vt.

For completion and repair of Delaware breakwater, Delaware bay, one hundred and seven thousand nine hundred and ten dollars.

Delaware breakwater.

For improving channel of Susquehanna river below Havre de Grace, Maryland, twenty-six thousand four hundred dollars.

Channel of Susquehanna river.

For continuing improvement of Patapsco river, Maryland, five thousand two hundred dollars.

Patapsco river.

For construction of snag-boats and other apparatus for clearing western rivers, and for the outfit, working, and preservation thereof, five hundred and fifty thousand dollars.

Snag-boats and other apparatus.

And the Secretary of the Navy is hereby authorized and directed, upon such terms as may be agreed on by the Secretary of the Navy and the Secretary of War, to transfer to and place at the disposal of the Secretary of War such steamers of the United States, with boats and equipage belonging thereto, and used during the rebellion as portions of the river fleet, as may be so transferred in the judgment of the Secretary of the Navy without detriment to the public service, and as may be conveniently and fitly used in raising snags or removing obstructions from western rivers, so as to render them safe and navigable for the vessels of the United States and for the uses of commerce; and if the same shall be

Secretary of Navy to transfer, &c., to Secretary of War steamers, &c., suitable for use in raising snags, &c., from western rivers.

Appropriation for purchase.	purchased by the Secretary of War, the amounts required for the payment therefor shall be taken from the appropriation aforesaid.
Mouth of the Mississippi.	For improving the mouth of the Mississippi river, seventy-five thousand dollars.
Mississippi, Missouri, Arkansas, and Ohio rivers.	For improvement of the Mississippi, Missouri, Arkansas, and Ohio rivers, five hundred and fifty thousand dollars.
Des Moines rapids.	For improvement of the Des Moines rapids, Mississippi river, two hundred thousand dollars.
Rock Island rapids.	For improvement of the Rock Island rapids, Mississippi river, one hundred thousand dollars.
Saint Clair flats.	For improvement of the Saint Clair flats, Michigan, eighty thousand dollars.
Saint Mary's river.	For improvement of the Saint Mary's river, between Lake Superior and Lake Huron, fifty thousand dollars.
Oswego harbor.	For improvement of Oswego harbor, New York, and preservation of the public works at that point, forty-five thousand dollars.
Little Sodus Bay harbor.	For improvement at Little Sodus Bay harbor, Fairhaven, in Cayuga county, New York, thirty-three thousand eight hundred and forty dollars and forty-one cents.
Big Sodus Bay harbor.	For improvement at Big Sodus Bay harbor, Wayne county, New York, fifty-three thousand one hundred and fifty-one dollars and eighty cents.
Harbor of Genesee river.	For improvement at the harbor of Genesee river, New York, seventy-five thousand six hundred and seven dollars and thirty cents.
Harbor and sea-wall at Buffalo.	For improvement of harbor at Buffalo, New York, one hundred thousand dollars.
	For completing the sea wall at Buffalo harbor, New York, thirty-one thousand dollars.
Improvement of harbor, &c., at Erie; Conneaut;	For improvement of harbor and repair of public works at Erie, Pennsylvania, thirty-six thousand nine hundred and sixty-one dollars.
	For improvement of Conneaut harbor, Ohio, twenty thousand five hundred and thirteen dollars and seventy-four cents.
Ashtabula;	For improvement of Ashtabula harbor, Ohio, twenty-four thousand seven hundred and eight dollars and eighty-two cents.
Grand river;	For improvement of harbor at Grand river, Ohio, twenty-four thousand and seventy-two dollars.
Cleveland;	For improvement of harbor at Cleveland, Ohio, fifty-nine thousand eight hundred and six dollars.
Black river;	For improvement of harbor at Black river, Ohio, ten thousand dollars.
Vermillion;	For improvement of harbor at Vermillion, Ohio, fifteen thousand three hundred and fifteen dollars and seventy-four cents.
Huron;	For improvement of harbor at Huron, Ohio, thirty-nine thousand dollars.
Sandusky;	For improvement of harbor at Sandusky City, Ohio, thirty-eight thousand five hundred and eighty dollars.
Toledo;	For improvement of the harbor at Toledo, Ohio, twenty thousand dollars.
Monroe;	For improvement of the harbor at Monroe, Michigan, thirty-one thousand and fifteen dollars and twenty-seven cents.
Aux Becs Scies, Frankfort;	For improvement of harbor at Aux Becs Scies, Frankfort, Michigan, eighty-eight thousand five hundred and forty-one dollars.
Grand Haven;	For improvement of harbor at Grand Haven, Michigan, sixty-five thousand dollars.
Black Lake;	For improvement of harbor at Black Lake, Michigan, fifty-five thousand six hundred and fifteen dollars and thirty-one cents.
Saint Joseph;	For improvement of harbor at Saint Joseph, Michigan, six thousand dollars.
Saginaw river;	For improvement at the mouth of Saginaw river, Michigan, sixty-seven thousand five hundred dollars.
Chicago;	For improvement of harbor at Chicago, Illinois, eighty-eight thousand seven hundred and four dollars.
Kenosha;	For improvement of harbor at Kenosha, Wisconsin, seventy-five thousand four hundred and sixty-one dollars and forty-one cents.

For improvement of harbor at Racine, Wisconsin, twenty-three thousand nine hundred and ten dollars. Improvement of harbor at Racine;

For improvement of harbor at Milwaukee, Wisconsin, forty-eight thousand two hundred and eighty-three dollars and fifty-one cents. Milwaukee;

For improvement of harbor at Sheboygan, Wisconsin, forty-seven thousand five hundred and ninety-eight dollars and ninety-one cents. Sheboygan;

For improvement of harbor at Manitowoc, Wisconsin, fifty-two thousand dollars. Manitowoc;

For repairs of government wharves and landings, and improving harbor at Marcus Hook, on Delaware river, Pennsylvania, five thousand dollars: *Provided*, That before expenses shall be incurred on said wharves and landings, it shall be shown to the satisfaction of the Secretary of War that the same belong to the United States. Marcus Hook; Title to be examined;

For improvement of the harbor at Green Bay, at the mouth of Fox river, Wisconsin, thirty thousand five hundred dollars. Green Bay;

For constructing works and improving the entrance into the harbor of Michigan City, Indiana, seventy-five thousand dollars: *Provided*, That it shall be first shown to the satisfaction of the Secretary of War that a sum equal to double the amount aforesaid has been expended by the Michigan City Harbor Company in the construction of a safe and convenient harbor at that place: *And provided*, That the passage of vessels to and from said harbor shall be free and not subject to toll or charge. Michigan City. Double the amount must have been expended by Michigan City Harbor Company. Vessels not subject to toll.

For improvement of the Kennebec river, in the State of Maine, between Sheppard Point and the city of Augusta, twenty thousand dollars. Kennebec river.

For removal of obstructions to navigation in the Willamette river, between Portland and its mouth, in the State of Oregon, fifteen thousand dollars. Willamette river.

For continuing the repair of the piers in Saco river, in the State of Maine, forty thousand dollars. Piers in Saco river.

SEC. 2. *And be it further enacted*, That the money appropriated by this act shall be so applied as to complete, or make the nearest approximation to completing, the work for which each specific appropriation is made; and it shall be the duty of the Secretary of War to apply the sums herein appropriated for other purposes than for examinations and surveys by contract: *Provided*, That no contract shall be made except after public advertisement for proposals in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest responsible bidder therefor, upon security deemed sufficient in the judgment of the Secretary. And it shall be the duty of the said Secretary, at the earliest practicable time, to report to Congress the result of any survey or resurvey, with the plan adopted and the items of expenditure under said plan; and he shall make report of all action taken under the provisions of this act; and he shall accompany said report with a statement of the amount and date of all former appropriations for each work, and a full estimate for its entire and permanent completion, with the amount that can be profitably expended in the next fiscal year. And he shall also state in what collection district each work is located, and at or near what port of entry, light-house, or fort; what amount of revenue was collected at the nearest port of entry for the last fiscal year; and, as far as practicable, what amount of commerce and navigation would be benefitted by the completion of each particular work; *Provided*, That he shall continue to make such a report at the commencement of every session of Congress until the works herein provided for shall all be completed. Appropriation to be so applied as to complete the works; for other purposes than for examinations, &c., by contract. Contract not to be made until, &c. Secretary of war to report results of surveys to Congress with plans, &c. Report to state what; to be continued until works are completed.

SEC. 3. *And be it further enacted*, That whenever the Secretary of War shall invite proposals for any works, or for any material or labor for any works, there shall be separate proposals and separate contracts for each work, and also for each class of material or labor for each work; and he shall report to Congress, at its next session, all the bids with the Separate proposals and contracts for each work and each class of works, &c.

Disbursing officers except, &c., to give bonds.

United States officers not to receive commissions.

Appropriations to be at the disposal of Secretary of War.

Examinations or surveys, or both to be made at various points, and purposes of the examination.

Estimates of cost.

names of the bidders. All persons not holding commissions in the regular army of the United States who shall be intrusted with the disbursement of the funds appropriated for the works named in this act, shall be required to give bond and ample security for the faithful application of the same; and no such disbursing officer in the army of the United States shall receive any commission or compensation for making such disbursements. And the moneys hereinbefore appropriated shall remain and be at the disposal of the Secretary of War, and subject to his control for the purposes named in this act, until the several works and improvements herein provided for are completed, any law or regulation to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That the Secretary of War is hereby directed to cause examinations or surveys, or both as aforesaid, to be made at the following points, namely: At Superior City, Eagle Harbor, Marquette, and Lac la Belle, on Lake Superior, and at Ausable river, in the State of Michigan; of the Ohio river between Pittsburg, Pennsylvania, and Buffinton island, West Virginia; of Sandusky river, Ohio; at Chester harbor, Pennsylvania; at Bridgeport, Connecticut; at Hell Gate, New York; at the port of Ogdensburg, New York; at San Francisco, California; at the "Grand Chain," in the Ohio river; at the harbor of Baltimore, between Fort McHenry and the mouth of the Patapsco river, in the State of Maryland; of the Mississippi river, between Fort Snelling and the Falls of Saint Anthony and the upper or Rock River rapids of the Mississippi river, with a view to ascertain the most feasible means, by economizing the water of the stream, of insuring the passage, at all navigable seasons, of boats drawing four feet of water; of the Minnesota river, from its mouth to the Yellow Medicine river, in order to ascertain the practicability and expense, by slack-water navigation or otherwise, of securing the continued navigability of said stream during the usual season of navigation; and for examining and reporting upon the subject of constructing railroad bridges across the Mississippi river, between St. Paul, in Minnesota, and St. Louis, in the State of Missouri, upon such plans of construction as will offer the least impediment to the navigation of the river; of Rock river; the Kennebec river above Gardiner, Maine; the Penobscot river above Hampden, Maine; at the Zambro river, Minnesota; at the Cannon river, Minnesota; at the harbor and the mouth of the Eighteen-mile creek, at Olcott, New York; at St. Croix river, above the ledge; from the mouth of Illinois river to La Salle; together with such necessary estimates of cost, as hereinbefore provided, as will enable the Secretary of War to determine what improvements and public works shall be necessary at the respective points aforesaid. And the Secretary of War shall cause a survey to be made at the harbor of Burlington, Vermont, and the harbor of Dunkirk, New York; at the harbor of Oak Orchard Creek, New York; and at Muskegon, White river, Manistee, South Haven, and New Buffalo, in the State of Michigan; the Fox and Wisconsin rivers, in the State of Wisconsin; and the Rock river, in the States of Illinois and Wisconsin, with its connections with Lake Winnebago; and the upper Columbia river, Oregon.

APPROVED, June 23, 1866.

June 27, 1866. CHAP. CXL.—*An Act to provide for the Revision and Consolidation of the Statute Laws of the United States.*

Commissioners to revise and consolidate the general, &c., statutes of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint three persons, learned in the law, as commissioners, to revise, simplify, arrange, and consolidate all statutes of the United States, general and permanent in their nature, which shall be in

force at the time such commissioners may make the final report of their doings.

SEC. 2. *And be it further enacted*, That, in performing this duty, the commissioners shall bring together all statutes and parts of statutes which, from similarity of subject, ought to be brought together, omitting redundant or obsolete enactments, and making such alterations as may be necessary to reconcile the contradictions, supply the omissions, and amend the imperfections of the original text; and they shall arrange the same under titles, chapters, and sections, or other suitable divisions and subdivisions, with head-notes briefly expressive of the matter contained in such divisions; also with side-notes, so drawn as to point to the contents of the text, and with references to the original text from which each section is compiled, and to the decisions of the federal courts, explaining or expounding the same, and also to such decisions of the State courts as they may deem expedient; and they shall provide by a temporary index, or other expedient means, for an easy reference to every portion of their report.

Duties of the commissioners.

SEC. 3. *And be it further enacted*, That when the commissioners have completed the revision and consolidation of the statutes, as aforesaid, they shall cause a copy of the same, in print, to be submitted to Congress, that the statutes so revised and consolidated may be re-enacted, if Congress shall so determine; and at the same time they shall also suggest to Congress such contradictions, omissions, and imperfections as may appear in the original text, with the mode in which they have reconciled, supplied, and amended the same; and they may also designate such statutes or parts of statutes as, in their judgment, ought to be repealed, with their reasons for such repeal.

Copy of their completed work to be submitted to Congress in print.

Suggestions.

SEC. 4. *And be it further enacted*, That the commissioners shall be authorized to cause their work to be printed in parts, so fast as it may be ready for the press, and to distribute copies of the same to members of Congress, and to such other persons, in limited numbers, as they may see fit, for the purpose of obtaining their suggestions; and they shall, from time to time, report to Congress their progress and doings.

Work may be printed in parts.

Report to Congress.

SEC. 5. *And be it further enacted*, That the statutes so revised and consolidated shall be reported to Congress as soon as practicable, and the whole work closed without unnecessary delay.

Revision when to be completed.

SEC. 6. *And be it further enacted*, That the commissioners shall each receive as compensation for his services at the rate of five thousand dollars a year for three years, with the reasonable expenses of clerical service and other incidental matters, not to exceed two thousand dollars annually for such expenses.

Compensation of commissioners.
Clerical service and incidental expenses.

APPROVED, June 27, 1866.

CHAP. CXLI. — *An Act making further Provisions for the Establishment of an Armory and Arsenal of Construction, Deposit, and Repair on Rock Island, in the State of Illinois.*

June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized and directed to change, fix, and establish the position of the railroad across Rock Island and the bridge across the Mississippi river at and on the island of Rock Island, so as best to accord with the purposes of the government in its occupancy of said island for military purposes; and in order to effect this he is authorized to grant to the railroad company a permanent location and right of way on and across Rock Island, to be fixed and designated by him, with such quantity of land, to be occupied and held by the company for railroad purposes, as may be necessary therefor; and that the said grant and change be made on such terms and conditions, previously arranged, between the Secretary

Position of railroad across Rock Island and the bridge across the river to be established.

Permanent location and right of way.

Terms and conditions.

of War and the companies and parties in interest, as will best effect and secure the purposes of the government in occupying the island.

Pecuniary and
other aid to be
given.

Wagon road.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and is hereby, authorized to grant to the companies and parties in interest such other aid, pecuniary or otherwise, toward effecting the change in the present location of their road and bridge and establishing thereon a wagon road for the use of the government of the United States to connect said island with the cities of Davenport and Rock Island, to be so constructed as not materially to interfere with, obstruct, or impair the navigation of the Mississippi river, as may be adjudged to be fair and equitable by the board of commissioners authorized under the act of April nineteenth, eighteen hundred and sixty-four, entitled "An act in addition to an act for the establishment of certain arsenals," and may be approved by him.

1864, ch. 60.
Vol. xiii. p. 50.

Small Islands
adjacent to Rock
Island.

SEC. 3. *And be it further enacted*, That the provisions of the act, approved April nineteenth, eighteen hundred and sixty-four, entitled "An act in addition to an act for the establishment of certain arsenals," be so extended as to include the small islands contiguous to Rock Island, and known as Benham's, Wilson's, and Winnebago islands.

Appropriations.

SEC. 4. *And be it further enacted*, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for Rock Island arsenal, to be applied as follows, viz:

For claims for
property taken
for military pur-
poses.

To liquidate claims for property in Benham's, Wilson's, and Winnebago islands, and for property in Rock Island which has been taken, in pursuance of law, for military purposes, two hundred and ninety-three thousand six hundred dollars, or so much thereof, and no more, as may be necessary to pay the respective claimants such amounts as may be reported by the board of commissioners authorized by the act of April nineteenth, eighteen hundred and sixty-four, and ordered by the United States circuit court to be paid to each.

Water power.

To secure water-power at the head of Rock Island, one hundred thousand dollars.

Storehouses,
&c.

To erect storehouses for the preservation of arms and other munitions of war, and to establish communication between Rock Island arsenal and the cities of Davenport, Iowa, and Rock Island, Illinois, one hundred thousand dollars.

APPROVED, June 27, 1866.

June 27, 1866.

1866, ch. 63.
Ante, p. 40.

CHAP. CXLII. — *An Act to amend an Act entitled "An Act to authorize the Sale of Marine Hospitals and Revenue Cutters," approved April 20th, 1866.*

Certain marine
hospitals not to
be leased or sold.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to authorize the sale of marine hospitals and revenue cutters," approved April twentieth, eighteen hundred and sixty-six, shall not be construed to authorize the Secretary of the Treasury to lease or sell any such hospital where the relief furnished to sick marine[r]s shall show an extent of relief equal to twenty cases per diem, on an average, for the last preceding four years, or where no other suitable and sufficient hospital accommodations can be procured upon reasonable terms for the comfort and convenience of the patients.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CXLIII. — *An Act in Amendment of an Act to promote the Progress of the Useful Arts, and the Acts in Amendment of and in Addition thereto.*

Fee for appeal
for first time
from decision of

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon appealing for the first time from the decision of the primary examiner to the examiners-in-chief in the patent office, the appellant shall pay a fee of ten dollars into the

patent office, to the credit of the patent fund; and no appeal from the primary examiner to the examiners-in-chief shall hereafter be allowed until the appellant shall pay said fee.

APPROVED, June 27, 1866.

CHAP. CXLIV. — *An Act to establish a Land Office in the Territory of Idaho.* June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands within the Territory of Idaho to which the Indian title is or shall be extinguished shall constitute a new land district, to be called the Idaho district, to be located at Boise City, Ada county; and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for said district, who shall be required to reside at the place at which said office shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in other Territories.

APPROVED, June 27, 1866.

CHAP. CLV. — *An Act amendatory of the organic Act of Washington Territory.* June 29, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the next annual session of the legislative assembly of said Territory the sessions shall be biennial. Members of the council shall be elected for the term of four years, and members of the house for the term of two years, and shall receive the sum of six dollars per day instead of three dollars heretofore allowed, and shall also receive the same mileage now allowed by law.

SEC. 2. *And be it further enacted,* That each house shall have authority to elect, in addition to the officers now allowed by law, an enrolling clerk, who shall receive five dollars per day. The chief clerks shall receive six dollars per day, and the other officers elected by said legislature shall receive five dollars per day each.

SEC. 3. *And be it further enacted,* That the first election, for the first biennial session under this act, shall be at the time of holding the general election for the Territory in the year eighteen hundred and sixty-seven.

SEC. 4. *And be it further enacted,* That the act of the legislative assembly of the Territory of Washington, approved January fourteenth, eighteen hundred and sixty-five, entitled "An act in relation to the county of Skamania," be and the same is hereby disapproved.

APPROVED, June 29, 1866.

CHAP. CLVI. — *An Act to create the Office of Surveyor-General in Idaho Territory.* June 29, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President, by and with the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor-general for Idaho, whose annual salary shall be three thousand dollars, and whose power, authority, and duties shall be the same as those provided by law for the surveyor-general of Oregon. He shall have proper allowances for clerk hire, office rent, and fuel, not exceeding what is now allowed by law to the surveyor-general of Oregon, and he shall locate his office at Boise City, in said Territory of Idaho.

APPROVED, June 29, 1866.

July 3, 1866.

CHAP. CLVIII. — *An Act to extend the Time for the Reversion to the United States of the Lands granted by Congress to aid in the Construction of a Railroad from Amboy, by Hillsdale and Lansing, to some Point on or near Traverse Bay, in the State of Michigan, and for the Completion of said Road.*

Act of 1856,
ch. 44, § 4.
Vol. xi. p. 22,
revived and ex-
tended for seven
years.

Grants to be
in full force, pro-
vided, &c.

The Amboy,
&c., Railroad to
forfeit the grant,
unless, &c.

Twenty miles
of road-bed to be
completed by
Feb. 1, 1867.

Road to be fin-
ished for trains
to, &c., by Nov.
1, 1867.

Twenty other
miles to be com-
pleted each year.

If conditions
are not per-
formed, the State
of Michigan may
confer the grant
upon some other
railroad corpora-
tion.

Such grant not
to affect any pre-
vious grant.

Limit to
amount of land
to be received.

Control of
legislature over
the lands.

If legislature
does not confer
the grant, lands
to revert to the
United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time limited by the fourth section of an act entitled "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes," approved June three, eighteen hundred and fifty-six, for the completion of the railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse bay, shall be, and hereby is, revived and extended for the period of seven years, from and after the third day of June, one thousand eight hundred and sixty-six; and that said grants shall continue and remain in full force and effect for and during that period, as if it had been so provided in said fourth section of said act of June three, eighteen hundred and fifty-six: *Provided*, That the Amboy, Lansing, and Traverse Bay Railroad Company, a corporation organized under the laws of the State of Michigan, shall forfeit all right to said grant, or any part thereof which it may now have, or which may hereafter be conferred upon it, by the legislature of the State of Michigan, if and whenever the said company shall fail, in whole or in part fully and completely to perform any of the following conditions, that is to say: First, to clear, grub, and grade twenty consecutive miles of the road-bed of said road between Owasso and Saginaw City, so that the same shall be in readiness for the ties and iron by the first day of February, eighteen hundred and sixty-seven; Second, to fully complete said road from Owasso to Saginaw City, so that the same shall be in readiness for the running of trains by the first day of November, eighteen hundred and sixty-seven; Third, to fully complete in like manner twenty miles of said road in each and every year after the said first day of November, eighteen hundred and sixty-seven, and to fully complete the entire road by the time limited by this act: *And provided further*, That in case of failure of said Amboy, Lansing, and Traverse Bay Rail Company to perform any of the above conditions by the respective times limited therefor, the legislature of the State of Michigan may at its first session after any such failure, confer the said grant upon some other railroad corporation, or corporations, upon such terms and conditions as the legislature may see fit, to carry out the purposes of the said act of June three, eighteen hundred and fifty-six, and when so conferred, such corporation or corporations shall be entitled to have and enjoy all of the said grant, which shall not then have been lawfully disposed of, to the same extent and in the same manner and for the same purposes, as if the same had been originally conferred upon such corporation or corporations. And any such railroad corporation or corporations, whether now organized or hereafter to be organized, upon which said grant may be so conferred in whole or in part, may receive the same without prejudice to any land grant, or other rights or franchises previously acquired. But in no case shall such corporation or corporations be entitled to receive more than ten sections of land to the mile, for that portion of said road which may be consolidated in accordance with the provisions of this act: *And, provided, further*, That if the legislature shall, in any such case of failure, so confer said grant as above provided, then the said lands, or so much thereof as shall then remain not lawfully disposed of, shall be subject to the disposal and future control of said legislature, as provided in section three of said act of June three, eighteen hundred and fifty-six, until the expiration of the time limited by this act. But in case the said legislature shall in such case fail to so confer said grant, then the said lands shall revert to the United States.

SEC. 2. *And be it further enacted*, That the Flint and Pere Marquette

Railroad Company may change the western terminus of its road to some point on Lake Michigan, at or south of Grand Traverse Bay; and any railroad corporations, having a right to the respective land grants specified in the said act of June three, eighteen hundred and fifty-six, located in the lower peninsula of the State of Michigan, may unite and contract with each other, or with any other railroad corporation or corporations, for the construction and operation of a single line of road for any portion of their routes, without prejudice to any land grants, or other rights or franchises previously acquired. And any and all such corporations are hereby authorized to change the location of their lines of road, so far as may be necessary, for the purpose of such consolidation, but not so as to change their respective termini otherwise than is authorized by this act. And whenever any change of terminus or location of line is made, as provided for in this act, the corporation or corporations making such change, shall file in the General Land Office new maps definitely showing such change and the new line of road adopted: *Provided*, That the road mentioned in the first section of this act shall run on the west side of Saginaw river, and that the principal depot shall be located in the northern portion of the plat of Saginaw City, so as best to accommodate the cities of Saginaw and East Saginaw.

SEC. 3 *And be it further enacted*, That the lands granted by the said act of June three, eighteen hundred and fifty-six, to aid in the construction of the railroad described in the first section of this act, shall be disposed of only in the following manner, that is to say: when the Governor of the State of Michigan shall certify to the Secretary of the Interior that ten or more consecutive miles of said road have been completed in a good and substantial manner, as a first-class railroad, stating definitely the commencement and termination of each completed portion of said road and the corporation or corporations so entitled to lands on account thereof, the Secretary of the Interior shall cause patents for lands for such completed portion of said road to be issued to said corporation or corporations: *Provided*, That none of said lands shall be acquired or so patented for any portion of said road so completed south of the intersection of said road with the Detroit and Milwaukee railway, until the whole of said road north of said intersection shall have been completed and the lands therefor patented as aforesaid; *And provided further*, That the road mentioned in the first section of this act shall be and remain a public highway for the use of the government of the United States, and shall transport, free from toll or other charges, all property, troops, and munitions of war belonging to the same.

SEC. 4. *And be it further enacted*, That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

APPROVED, July 3, 1866.

Flint, &c., railroad company may change its western terminus.

Railroads with land grants may construct a single line of road for any part of their routes.

Locations may be changed for purpose of consolidation.

Maps of change to be filed in land office.

Route, &c., of Amboy, &c., railroad.
Principal depot.

Lands granted in aid of the Amboy, &c., road, how to be disposed of.

When ten miles are completed, &c.

Proviso.

Road to be a public highway, and free to the United States.

Repealing clause.

CHAP. CLIX. — *An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and other Purposes,' approved July 1, 1862," approved July 2, 1864.*

July 3, 1866.
1862, ch. 120.
Vol. xii. p. 489.
1864, ch. 216.
Vol. xiii. p. 356.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Union Pacific Railway Company, eastern division, is hereby authorized to designate the general route of their said road and to file a map thereof, as now required by law, at any time before the first day of December, eighteen hundred and sixty-six; and upon the filing of the said map, showing the general route of said road, the lands along the entire line thereof, so far as the same may be designated, shall be reserved from sale by order of the Secretary of the Interior: *Provided*, That said company shall be entitled to only the same amount of the bonds of the United States to aid in the construction of their line of railroad and telegraph as they would have

Union Pacific Railway Company to designate general route of road, &c., before Dec. 1, 1866.

Lands on line of road to be then reserved from sale. *

Amount of bonds to be the same as if, &c.

Point of connection with Union Pacific Railroad.

Location of Union Pacific Railroad Company from Omaha westward;

of Central Pacific Railroad Company eastward.

Work may be done on not over 300 miles in advance of continuous completed lines.

been entitled to if they had connected their said line with the Union Pacific railroad on the one hundredth degree of longitude as now required by law: *And provided further*, That said company shall connect their line of railroad and telegraph with the Union Pacific railroad, but not at a point more than fifty miles westwardly from the meridian of Denver in Colorado.

SEC. 2. *And be it further enacted*, That the Union Pacific Railroad Company, with the consent and approval of the Secretary of the Interior, are hereby authorized to locate, construct, and continue their road from Omaha, in Nebraska Territory, westward, according to the best and most practicable route, and without reference to the initial point on the one hundredth meridian of west longitude, as now provided by law, in a continuous completed line, until they shall meet and connect with the Central Pacific Railroad Company of California; and the Central Pacific Railroad Company of California, with the consent and approval of the Secretary of the Interior, are hereby authorized to locate, construct, and continue their road eastward, in a continuous completed line, until they shall meet and connect with the Union Pacific Railroad: *Provided*, That each of the above-named companies shall have the right, when the nature of the work to be done, by reason of deep cuts and tunnels, shall for the expeditious construction of the Pacific railroad require it, to work for an extent of not to exceed three hundred miles in advance of their continuous completed lines.

APPROVED, July 3, 1866.

July 3, 1866.

CHAP. CLX. — *An Act granting certain Lands to the State of Michigan to aid in the Construction of a Ship Canal to connect the Waters of Lake Superior with the Lake known as Lac La Belle, in said State.*

Lands granted to Michigan to aid in the construction of ship canal between Lake Superior and Lac La Belle.

Amount, and where to be selected.

Size of canal, and depth of water.

Canal to be a public highway, and be free to the United States.

Lands, how to be disposed of by Michigan;

when to be withdrawn from market.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Michigan, for the use and benefit of the "Lac La Belle Harbor Improvement Company," a company organized under and by virtue of the laws of the State of Michigan, for the purpose of aiding in the construction of a ship canal to connect the waters of Lake Superior with the lake known as Lac La Belle, in said State, one hundred thousand acres of the public lands of the United States in the upper peninsula of Michigan, to be selected from the odd-numbered sections of land nearest the location of the said canal, not otherwise reserved or appropriated, nor designated by the United States as "mineral lands" prior to the passage of this act, nor to which the rights of pre-emption or homestead have attached: *Provided*, That the said canal shall be at least one hundred feet wide at the top, seventy-five feet wide at the bottom, and shall have, when completed, a depth of water through its entire length of at least twelve feet, running from sixteen feet of water in Lake Superior to fourteen feet of water in Lac La Belle: *And provided further*, That said canal shall be and remain a public highway for the use of the government of the United States, free from toll or charge upon the vessels of said government, or upon vessels employed by said government in the transportation of any property or troops of the United States.

SEC. 2. *And be it further enacted*, That the lands hereby granted shall be subject to the disposal of the legislature of the State of Michigan for the purposes aforesaid and no other; that as soon as the governor of the said State shall file, or cause to be filed, with the Secretary of the Interior, a map or plan showing the location of the said canal, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands applicable and subject to the provisions of this act; and whenever the governor of the State of Michigan shall certify to the Secretary of the Interior that the said ship canal has been completed, in a good, sub-

stantial, and workmanlike manner, in all respects in conformity with the provisions of this act, and to his satisfaction, then it shall be the duty of the Secretary of the Interior to issue patents to the said State of Michigan for the lands hereby granted.

Patents when to issue.

SEC. 3. *And be it further enacted*, That if the said ship canal shall not be completed within two years from and after the passage of this act, the lands hereby granted shall revert to the United States.

If canal is not completed in two years, lands to revert.

APPROVED, July 3, 1866.

CHAP. CLXI. — *An Act granting Lands to the State of Michigan to aid in the Construction of a Harbor and Ship Canal at Portage Lake, Keewenaw Point, Lake Superior, in said State.*

July 3, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, granted to the State of Michigan, to aid in the building of a harbor and ship canal at Portage lake, Keewenaw Point, Lake Superior, in addition to a former grant for that purpose, approved March the third, eighteen hundred and sixty-five, two hundred thousand acres of land in the upper peninsula of the State of Michigan, and from land to which the right of homestead or pre-emption has not attached: *Provided*, That one hundred and fifty thousand acres of said lands shall be selected from alternate odd-numbered sections, and fifty thousand acres from even-numbered sections of the lands of the United States. Said grant of lands shall inure to the use and benefit of the Portage Lake and Lake Superior Ship Canal Company, in accordance with an act of the legislature of the State of Michigan, conferring the land granted to the said State, by the act herein referred to, on said company: *And provided further*, That the time allowed for the completion of said work and the right of reversion to the United States, under the said act of Congress, approved March the third, eighteen hundred and sixty-five, be extended three additional years: *And provided further*, That no lands designated by the United States as "mineral" before the passage of this act shall be included within this grant.

Lands granted to Michigan for a harbor and ship canal at Portage Lake. Amount.

How to be selected.

To whose use to inure.

Time for completing work extended. 1865, ch. 102, § 5. Vol. xiii. p. 520.

Mineral lands not granted.

APPROVED, July 3, 1866.

CHAP. CLXII. — *An Act to regulate the Transportation of Nitro-Glycerine, or Glymoin Oil, and other Substances therein named.*

July 3, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter it shall not be lawful to transport, carry or convey, ship, deliver on board, or cause to be delivered on board, the substance or article known or designated as nitro-glycerine, or glymoin oil, nitro-leum or blasting oil, or nitrated oil, or powder mixed with any such oil, or fibre saturated with any such [article] or substance upon or in any ship, steamship, steamboat, vessel, car, wagon, or other vehicle, used or employed in transporting passengers by land or water between a place or places in any foreign country and a place or places within the limits of any State, territory, or district of the United States, or between a place in one State, territory, or district of the United States, and a place in any other State, territory, or district thereof; and any person, company, or corporation who shall knowingly violate the provisions of this section, shall be liable to a fine of not less than one thousand nor more than ten thousand dollars, at the discretion of the court, one half to the use of the informer.

The transportation, &c., of nitro-glycerine, &c., forbidden.

Penalty. One half of fine to the informer.

SEC. 2. *And be it further enacted*, That in case the death of any person shall be caused, directly or indirectly, by an explosion of any quantity of said substances or articles, or either of them, while the same is being placed upon or in any such ship, steamship, steamboat, vessel, car, wagon or other vehicle, to be transported, carried, or conveyed thereon or therein in violation of the foregoing section, or while the same is being so trans-

If the death of any person is caused by the explosion of nitro-glycerine, &c., while transported, &c., persons knowingly

concerned therein to be guilty of manslaughter.

Punishment.

Those substances not to be carried, unless enclosed, &c.

Package, how to be marked.

Penalty.
One half of fine to the informer.

District court to have jurisdiction of offences under this act.

Rights of States, &c., to regulate or prohibit traffic or transportation thereof not affected.

ported, carried, or conveyed, or while the same is being removed from such ship, steamship, steamboat, vessel, car, wagon, or other vehicle, every person who knowingly placed or aided, or permitted the placing of the said substance upon or in such ship, steamship, steamboat, vessel, car, wagon, or other vehicle, to be so transported, carried, or conveyed, shall be deemed guilty of manslaughter, and on conviction thereof shall suffer imprisonment for a period not less than two years.

SEC. 3. *And be it further enacted*, That it shall not be lawful to ship, send, or forward any quantity of the said substances or articles, or to transport, convey, or carry the same by a ship, boat, vessel, vehicle, or conveyance, of any description, upon land or water, between a place in a foreign country and a place within the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof, unless the same shall be securely enclosed, deposited or packed in a metallic vessel surrounded by plaster of paris, or other material that will be non-explosive when saturated with such oil or substance, and separate from all other substances, and the outside of the package containing the same, be marked, printed, or labelled in a conspicuous manner with the words "Nitro-Glycerine, Dangerous"; and any person, company, or corporation, who shall knowingly violate the provisions of this section, shall be liable to a fine of not less than one thousand nor more than five thousand dollars, at the discretion of the court, one half to the use of the informer.

SEC. 4. *And be it further enacted*, That the district court of the United States within the district in which any offence against this act shall be committed, or if committed in or upon any ship, boat, vessel, or vehicle, beyond the territorial limits of any district, then within the district from which the same departed, or that in which it shall first arrive, shall have jurisdiction to try and punish the offender under the provisions of this act.

SEC. 5. *And be it further enacted*, That this act shall not be so construed as to prevent any State, Territory, District, city, or town within the United States from regulating or from prohibiting the traffic in or transportation of the said substances between persons and places lying or being within their respective territorial limits, or from prohibiting its introduction into such limits for sale, use, or consumption therein.

APPROVED, July 3, 1866.

July 3, 1866.

CHAP. CLXIII. — *An Act for the Relief of the Members of the Thirty-seventh Regiment of Iowa Volunteer Infantry.*

Bounty to members of thirty-seventh regiment Iowa volunteer infantry.

In case of death, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the members of the thirty-seventh regiment of Iowa volunteer infantry the same bounty provided by law, or which may hereafter be provided by law to soldiers enlisted into the volunteer forces of the United States during the year eighteen hundred and sixty-two; and in case any of the members of said regiment are dead or may die before the payment of said bounty, the same shall be paid to their representatives in the same order provided by law for the payment of bounty in other cases.

APPROVED, July 3, 1866.

July 3, 1866.

CHAP. CLXIV. — *An Act to create an additional Land District in the State of Oregon.*

Additional land district in Oregon established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to establish an additional land district in the State of Oregon, and to fix from time to time the boundaries thereof, which district shall be named after the place at which the office

shall first be established; and the President shall be authorized hereafter, from time to time, as circumstances may require, to adjust the boundaries of any and all of the land districts in said State, and change the location of the land office from time to time when the same shall be expedient.

Boundaries and location of districts and offices may be changed.

SEC. 2. *And be it further enacted*, That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, or during the recess thereof, and until the end of the next ensuing session, a register and receiver for said land district, who shall be required to reside at the site of the office, shall be subject to the same laws and responsibilities, and whose compensation and fees shall be respectively the same per annum, as are now allowed by law to other land officers in said State.

Register and receiver.
Residence.
Pay and fees.

APPROVED, July 3, 1866.

CHAP. CLXV. — *An Act making a Grant of Lands in alternate Sections to aid in the Construction and Extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas.*

July 4, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Missouri, for the purpose of aiding in the construction and extension of the Iron Mountain railroad, from its present terminus at Pilot Knob to a point on the southern boundary line of the State of Missouri, every alternate section of land, designated by odd numbers, for ten sections in width on each side of said road; but in case it shall appear when the route of said road is definitely fixed that the United States have sold any sections or parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified so much land in sections or parts of sections, to be selected as aforesaid, as shall be equal to such lands as the United States have sold or otherwise appropriated or to which the rights of pre-emption have attached, which lands thus selected shall be held by the State of Missouri for the use and purposes aforesaid, and for none other: *Provided*, That the lands so located shall be within the Ironton land district as now established and not more than twenty miles from the line of said road: *And provided, further*, That all mineral lands except those containing coal and iron, and any lands heretofore reserved to the United States by any act of Congress or in any other manner by competent authority for the purpose of aiding in any object of internal improvement, or for any other purpose whatever, be, and the same are, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroad through the same, in which case the right of way only shall be granted, subject to the approval of the President of the United States.

Lands granted to Missouri for extension of Iron Mountain railroad.
Alternate sections.

If any of the lands have been before granted or pre-empted, other lands to be selected in lieu thereof.

Lands to be in Ironton land district, and within twenty miles of the road.
Mineral lands, except coal and iron, reserved.

Right of way granted.

SEC. 2. *And be it further enacted*, That there be, and is hereby, granted to the State of Arkansas, for the purpose of aiding in the construction and extension of a railroad from the point where the Iron Mountain railroad intersects the southern boundary line of Missouri, by the nearest and most practicable route, to a point at or near the town of Helena, on the Mississippi river, every alternate section of land, designated by odd numbers, for ten sections in width on each side of said road; but in case it shall appear, when the line of said road is definitely fixed, that the United States have sold any sections or parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Gov-

Lands granted to Arkansas for extension of railroad to Helena.

Alternate sections.

Lands may be selected in lieu of those before granted, &c.;

to be within twenty miles of railroad.

Mineral lands, except coal and iron, reserved.

Right of way.

Sections of land remaining to the United States not to be sold for less than double minimum price; to be first offered at public auction.

Bona fide settlers under pre-emption laws.

Settlers under homestead law.

These railroads to be public highways, and free for the United States;

to be built in five years.

Lands hereby granted, how to be disposed of.

When the governor shall certify that a section of ten consecutive miles is completed, &c.;

that another section of ten consecutive miles, &c.

error of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified so much land, in alternate sections, designated as aforesaid, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the rights of pre-emption have attached, which lands thus selected shall be held by the State of Arkansas for the use and purposes aforesaid, and for none other: *Provided*, That the land so selected and located shall in no case be further than twenty miles from the line of road when the same shall be located: *And provided further*, That all mineral lands, except those containing coal and iron, and any lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatever, be, and the same are, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railway through the same, in which case the right of way only shall be granted, subject to the approval of the President of the United States.

SEC. 3. *And be it further enacted*, That the sections and parts of sections of land which shall remain to the United States within ten miles on either side of said road, and the even sections and parts of sections corresponding to the odd ones selected within twenty miles of the same, shall not be sold for less than double the minimum price of the public lands when sold, nor shall any of the said lands become subject to private entry until the same shall have been first offered at public sale to the highest bidder at or above the minimum price as aforesaid: *Provided*, That actual bona fide settlers under the pre-emption laws of the United States may, after the proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the increased minimum price; *And provided, also*, That settlers under the provisions of the homestead law, who comply with the terms and requirements of *this* [said] act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That the said railroads shall be, and remain, public highways, so far as the same may be constructed under this act, for the use of the government of the United States, free of all toll or other charges upon the transportation of any property or troops of the United States, and at the costs in all respects of said railroad companies; and the said roads are hereby required to be constructed within the term of five years from and after the first day of July, anno Domini eighteen hundred and sixty-six.

SEC. 5. *And be it further enacted*, That the lands hereby granted to said States of Missouri and Arkansas shall be disposed of by said States for the purposes aforesaid only, and in manner following, namely: Whenever the governor of either of said States shall certify to the Secretary of the Interior that any section of ten consecutive miles of either of said roads is completed in a good, substantial, and workmanlike manner, as a first-class railroad, and the said Secretary shall be satisfied that said State has complied in good faith with this requirement, the said Secretary of the Interior shall issue to the said State patents for all the lands granted and selected as aforesaid, not exceeding ten sections per mile, situated opposite to and within a limit of twenty miles of the line of said section of road thus completed, extending along the whole length of said completed section of ten miles of road, and no further. And when the governor of said State shall certify to the Secretary of the Interior, and the Secretary shall be satisfied that another section of said road, ten consecutive miles in extent, connecting with the preceding section or with some other first-class railroad which may be at the time in successful operation, is completed as aforesaid, the said Secretary of the Interior shall issue to the

said State patents for all the lands granted and situated opposite to and within the limits of twenty miles of the line of said completed section of road or roads, and extending the length of said section, and no further, and not exceeding ten sections of land per mile for all that part of said road thus completed under the provisions of this act and the act to which this is an amendment, and so, from time to time, until said roads and branches are completed. And when the governor of said State shall so certify, and the Secretary of the Interior shall be satisfied that the whole of any one of said roads and branches is completed in a good, substantial, and workmanlike manner, as a first-class railroad, the said Secretary of the Interior shall issue to the said State patents to all the remaining lands granted for and on account of said completed road and branches in this act, situated within the said limits of twenty miles from the line thereof, throughout the entire length of said road and branches: *Provided*, That no land shall be granted or conveyed to said States under the provisions of this act on account of the construction of any railroad or part thereof that has been constructed under the provisions of any other act at the date of the passage of this act, and adopted as a part of the line of railroad provided for in this act: *And provided*, That nothing herein contained shall interfere with any existing rights acquired under any law of Congress heretofore enacted making grants of land to the said States of Missouri and Arkansas to aid in the construction of railroads: *And provided further*, That should said States or either of them fail to complete the roads herein recited within the time prescribed by this act, then the lands undisposed of, as aforesaid, within the States so failing shall revert to the United States.

Where the governor shall certify that other sections are completed;

that whole road is completed.

Lands not to be granted on account of the construction of certain railroads.

Vested rights not affected.

Lands when to revert to the United States.

SEC. 6. *And be it further enacted*, That so soon as the governor of either of said States shall file or cause to be filed with the Secretary of the Interior maps designating the routes of said roads herein mentioned, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands embraced within the provisions of this act.

When maps are filed, lands to be withdrawn from market.

SEC. 7. *And be it further enacted*, That nothing contained in this act shall be held as vesting in the State of Arkansas title to the lands herein recited for the trust purpose aforesaid, or authorizing said State to make any disposition of the same, until said State shall be restored in all respects to its former relation to the national government and be represented in the Congress of the United States.

Arkansas to have no title to or power over the granted lands until restored to former relations.

APPROVED, July 4, 1866.

CHAP. CLXVI. — *An Act concerning certain Lands granted to the State of Nevada.*

July 4, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation by the constitution of the State of Nevada to educational purposes of the five hundred thousand acres of land granted to said State by the law of September fourth, eighteen hundred and forty-one, for purposes of internal improvement, is hereby approved and confirmed.

Appropriation by Nevada of land for educational purposes confirmed.

SEC. 2. *And be it further enacted*, That land equal in amount to seventy-two entire sections, for the establishment and maintenance of a university in said State, is hereby granted to the State of Nevada.

Lands granted for a university;

SEC. 3. *And be it further enacted*, That the grant made by law of the second day of July, eighteen hundred and sixty-two, to each State, of land equal to thirty thousand acres for each of its senators and representatives in Congress, is extended to the State of Nevada; and the diversion of the proceeds of these lands in Nevada from the teaching of agriculture and mechanic arts to that of the theory and practice of mining is allowed and authorized without causing a forfeiture of said grant.

for an agricultural college. 1862, ch. 130. Vol. xii. p. 503. Theory and practice of mining may be taught.

SEC. 4. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall be, and he

Surveyor-general for Nevada.
Location of office.

Pay.
Duties, &c.
Allowances.

is hereby, authorized to appoint a surveyor-general for Nevada, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, whose compensation shall be three thousand dollars per annum, and whose duties, powers, obligations, responsibilities, and allowances for clerk hire, office rent, fuel and incidental expenses shall be the same as those of the surveyor-general of Oregon, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Lines of subdivisions may be changed from rectangular.

Mineral lands reserved.

SEC. 5. *And be it further enacted*, That in extending the surveys of the public lands in the State of Nevada, the Secretary of the Interior may, in his discretion, vary the lines of the subdivisions from a rectangular form, to suit the circumstances of the country; but in all cases lands valuable for mines of gold, silver, quicksilver, or copper shall be reserved from sale.

Public lands in the State not to be subject to entry, &c., until the State has her full quota.

1862, ch. 75.
Vol. xii. p. 392.

Mode of selecting and disposing of lands by the State.

City and town property.

Vested rights not affected.

SEC. 6. *And be it further enacted*, That until the State of Nevada shall have received her full quota of lands named in the first, second, and third sections of this act, the public lands in that State shall not be subject to entry, sale, or location under any law of the United States, or any scrip or warrants issued in pursuance of any such law except the homestead act of May twentieth, eighteen hundred and sixty-two, and acts amendatory thereto, and the acts granting and regulating pre-emptions, but shall be reserved exclusively for entry by the said State for the period of two years after such survey shall have been made: *Provided*, That said State shall select said lands in her own name and right, in tracts of not less than forty acres, and dispose of the same in tracts not exceeding three hundred and twenty acres, only to actual settlers and bona fide occupants: *And provided further*, That city and town property shall not be subject to selection under this act: *And provided further*, That this section shall not be construed to interfere with or impair rights heretofore acquired under any law of Congress.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXVII.—*An Act granting Lands to the State of Oregon, to aid in the Construction of a Military Road from Corvallis to the Acquinna Bay.*

Lands granted to Oregon for a military road;

how to be applied and disposed of.

Lands heretofore reserved not granted hereby.

Right of way.

Lands, how to be disposed of.

Road to be a public highway, and free to the United States.

Construction of road.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Oregon, to aid in the construction of a military wagon road from the town of Corvallis to the Acquinna Bay, three alternate sections per mile from the unoccupied public lands, designated by odd numbers, and not more than six miles from said road: *Provided*, That the lands hereby granted shall be exclusively applied in the construction of said road, and shall be disposed of only as the work progresses; and the same shall be applied to no other purposes whatever: *And provided further*, That any and all lands heretofore reserved to the United States by act of Congress, or other competent authority, be, and the same are, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way is granted.

SEC. 2. *And be it further enacted*, That the said lands hereby granted to said State shall be disposed of by the legislature thereof for the purpose aforesaid, and for no other; and the said road shall be and remain a public highway for the use of the government of the United States, free from tolls or other charges upon the transportation of any property, troops, or mails of the United States.

SEC. 3. *And be it further enacted*, That said road shall be constructed with such graduation and bridges as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of only in the following manner, that is to say : when the governor of said State shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then a quantity of land hereby granted coterminous to said completed portion of said road, not to exceed thirty sections may be sold, and so from time to time until said road is completed ; and if said road is not completed within five years, no further sales shall be made, and the land remaining unsold shall revert to the United States.

Lands, how to be disposed of.

Road to be completed in five years ; if not, unsold lands to revert.

APPROVED, July 4, 1866.

CHAP. CLXVIII. — *An Act making an additional Grant of Lands to the State of Minnesota, in alternate Sections, to aid in the Construction of Railroads in said State.*

July 4, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Minnesota, for the purpose of aiding in the construction of a railroad from Houston, in the county of Houston, through the counties of Fillmore, Mower, Freeborn, and Faribault, to the western boundary of the State ; and also for a railroad from Hastings, through the counties of Dakota, Scott, Carver, and McLeod, to such point on the western boundary of the State as the legislature of the State may determine, every alternate section of land designated by odd numbers to the amount of five alternate sections per mile on each side of said road ; but in case it shall appear that the United States have, when the lines or route of said roads are definitely located, sold any section, or part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected, for the purposes aforesaid, from the public lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections, designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by odd numbers and sections, by the direction of the Secretary of the Interior, shall be held by said State of Minnesota for the purposes and uses aforesaid : *Provided*, That the land so selected shall in no case be located more than twenty miles from the lines of said road : *And provided further*, That no land shall be granted or transferred by the provisions of this act not included within the jurisdiction of the State of Minnesota : *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or other purpose whatever, be, and the same are hereby, reserved and excepted from the operations of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way shall be granted, provided the United States has yet in possession the title thereto.

Additional grants of lands to Minnesota for railroads.
Description of railroads.

If lands have been disposed of, &c., other lands to be selected in lieu thereof ;

but within twenty miles of lines of road, and the jurisdiction of Minnesota.

Reserved lands not granted.

Right of way.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which by such grant shall remain to the United States within ten miles on each side of said road shall not be sold for less than double the minimum price of public lands when sold, nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder at or above the minimum price as aforesaid : *Provided*, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation as now provided by law, purchase the same at the increased minimum price : *And provided also*, That settlers under the pro-

Price of lands remaining to the United States.
Lands to be first offered at public sale.
Pre-emption settlers.

Homestead settlers.

visions of the homestead law who shall make entries after the passage of this act, upon the sections numbered by even numbers, and who comply with the terms and requirements of said act shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

Lands granted,
how to be dis-
posed of.

Railroads to
be public high-
ways, and free to
the United
States.

SEC. 3. *And be it further enacted*, That the lands hereby granted shall be subject to the disposal of the legislature of Minnesota for the purposes aforesaid and no other; and the said railroad shall be and remain public highways for the use of the government of the United States, free of all toll or other charges upon the transportation of any property or troops of the United States, and the same shall at all times be transported at the cost, charge, and expense in all respects of the company or corporation, or their successors or assigns, having or receiving the benefit of the land grants herein made.

Lands, how to
be disposed of.

When gov-
ernor shall certi-
fy that a section
of ten consecu-
tive miles is
completed;

SEC. 4. *And be it further enacted*, That the lands hereby granted shall be disposed of by said State for the purposes aforesaid only, and in manner following, namely: When the governor of said State shall certify to the Secretary of the Interior that any section of ten consecutive miles of said road is completed, in a good, substantial, and workmanlike manner, as a first-class railroad, then the Secretary of the Interior shall issue to the State patents for all the lands in alternate sections, or parts of sections, designated by odd numbers, situated within twenty miles of the road so completed and lying coterminous to said completed section of ten miles, and not exceeding one hundred sections, for the benefit of the road having completed the ten consecutive miles as aforesaid: *Provided, however*, That the coterminous principle hereby applied shall not extend to such lands as are taken by the said railroad companies to make up deficiencies, provided that no land to make up such deficiencies shall be taken at any point within ten miles upon each side of the line of said roads. When the governor of said State shall certify that another section of ten consecutive miles shall have been completed as aforesaid, then the Secretary of the Interior shall issue patents to said State in like manner for a like number; and when certificates of the completion of additional sections of ten consecutive miles of said roads are from time to time made as aforesaid, additional sections of lands shall be patented as aforesaid, until said roads are completed, when the whole of the lands hereby granted shall be patented to the State for the uses aforesaid, and none other: *Provided*, That if said roads are not completed within ten years from the acceptance of this grant, the said lands hereby granted and not patented shall revert to the United States.

proviso;

that another
section of ten
consecutive
miles is com-
pleted;

that additional
sections are com-
pleted;

that roads are
completed.

Roads to be
completed in ten
years; if not, un-
sold lands to re-
vert to the United
States.

When maps
are filed, lands
granted hereby
to be withdrawn
from market.

SEC. 5. *And be it further enacted*, That as soon as the governor of said State shall file or cause to be filed with the Secretary of the Interior maps designating the routes of said roads, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands embraced within the provisions of this act.

Mail to be car-
ried over road,
and at what
price.

SEC. 6. *And be it further enacted*, That the United States mail shall be transported on said road, under the direction of the Post Office Department, at such price as Congress may by law provide: *Provided*, That until such price is fixed by law, the Postmaster-General shall have power to fix the rate of compensation.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXIX. — *An Act to provide for the Disposal of certain Lands therein named.*

Unsold lots of
Fort Howard
Military reserve
to be offered at
public auction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land Office be, and he is hereby, authorized to cause to be offered at public auction all the unsold lots of that portion of the public domain known as the Fort Howard Military Reserve, which is situated in the county of Brown, and State of Wisconsin, giving not less than two

months' notice of the time and place of such sale, by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold separately to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the Commissioner of the General Land Office aforesaid, at such reasonable minimum as may be fixed by the Secretary of the Interior, and no sale shall be binding until approved by that officer.

Notice of sale.

Mode of sale.

SEC. 2. *And be it further enacted*, That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot, as soon as may be after the purchase of and payment for the same.

Patents to issue.

APPROVED, July 4, 1866.

CHAP. CLXXIV. — *An Act granting Lands to the State of Oregon, to aid in the Construction of a Military Road from Albany, Oregon, to the Eastern Boundary of said State.*

July 5, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, granted to the State of Oregon, to aid in the construction of a military wagon road from Albany, Oregon, by way of Canyon City, and the most feasible pass in Cascade range of mountains, to the eastern boundary of the State alternate sections of public lands, designated by odd numbers, three sections per mile, to be selected within six miles of said road: *Provided*, That the lands hereby granted shall be exclusively applied in the construction of said road, and shall be disposed of only as the work progresses; and the same shall be applied to no other purpose whatever: *And provided, further*, That any and all lands heretofore reserved to the United States by act of Congress or other competent authority be, and the same are, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way is granted, subject to the approval of the President of the United States.

Lands granted to Oregon for military wagon road.

Route of road.

Lands granted, how to be applied.

Lands heretofore reserved, not granted hereby.

Right of way.

SEC. 2. *And be it further enacted*, That the said lands hereby granted to said State shall be disposed of by the legislature thereof for the purpose aforesaid, and for no other; and the said road shall be and remain a public highway for the use of the government of the United States, free from tolls or other charge upon the transportation of any property, troops, or mails of the United States.

Lands, how to be disposed of.

Roads to be public highway, and free to the United States.

SEC. 3. *And be it further enacted*, That said road shall be constructed with such width, graduation, and bridges, as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.

Construction of road.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of only in the following manner, that is to say: that when ten miles of said road shall be completed, a quantity of land not exceeding thirty sections for said road may be sold coterminous to said completed portion of said road; and when the governor of said State shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then another quantity of land hereby granted, not to exceed thirty sections, may be sold, coterminous to said completed portion of said road, and so from time to time until said road is completed; and if said road is not completed within five years, no further sales shall be made, and the land remaining unsold shall revert to the United States.

Lands, how to be disposed of.

If road not completed in five years, unsold lands to revert to the United States.

APPROVED, July 5, 1866.

July 5, 1866.

CHAP. CLXXV. — *An Act to provide for the Payment of the sixth, eighth, and eleventh Regiments of Ohio Volunteer Militia of Cincinnati, Bard's Company of Cavalry, and Paulsen's Battery, during the Time they were in the Service of the United States, in 1862.*

Officers and men of certain regiments, &c., of Ohio Volunteer Militia to be paid.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers and men of the sixth, eighth, and eleventh regiments of Ohio volunteer militia, and of Captain S. W. Bard's company of cavalry, and of Captain August Paulsen's battery, of Cincinnati, ordered into the service of the United States, at Cincinnati, Ohio, on the second day of September, eighteen hundred and sixty-two, notwithstanding any irregularity in their muster into the service of the United States, be paid for the time the officers and men were actually in the service, respectively, not however to exceed the period of thirty-one days.

APPROVED, July 5, 1866.

July 13, 1866.

CHAP. CLXXVI. — *An Act making Appropriations for the Support of the Army for the Year ending thirtieth of June, eighteen hundred and sixty-seven, and for other Purposes.*

Army appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-seven :

Recruiting and pay of citizen surgeons.

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, three hundred thousand dollars.

Pay.

For pay of the army, ten millions seven hundred and twelve thousand and fifty-two dollars.

Commutation of subsistence and forage.

For commutation of officers' subsistence, one million six hundred and fifty-one thousand five hundred and eleven dollars and fifty cents.

For commutation of forage for officers' horses, one hundred and five thousand two hundred dollars.

Payments in lieu of clothing.

For payments in lieu of clothing for officers' servants, one hundred and ninety-one thousand seven hundred and sixty-six dollars.

For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.

Subsistence in kind.

For subsistence in kind for regulars and volunteers, five million three hundred and one thousand six hundred and twenty-five dollars.

Quartermasters' department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices ; of forage in kind for the horses, mules, and oxen for the quartermaster's department at the several posts and stations and with the armies in the field ; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals ; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department certificates for discharged soldiers blank forms for the pay and quartermaster's departments ; and for the printing of division and department orders and reports, four millions one hundred and thirty-four thousand four hundred and ninety-nine dollars and thirty-three cents.

Incidental expenses quartermasters' department.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packages received and sent by officers of the army on public service ; expenses of courts-martial, military commissions, and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service ; under the act of March sixteenth, eighteen hundred and two, extra pay to soldiers employed under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals ; in the con-

struction of roads, and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmiths' and shoeing tools, horses' and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, one million dollars.

For the purchase of cavalry and artillery horses, seven hundred and thirteen thousand one hundred dollars.

For transportation of officers' baggage, fifty thousand dollars.

For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp, and garrison equipage, from the depots at Philadelphia, Cincinnati, and New York to the several posts and army depots, and from those depots to the troops in the field; and of subsistence stores from the places of purchase, and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from foundries and armories to the arsenals, fortifications, frontier-posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, five million dollars.

For hire of commutation quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe keeping of military stores; of grounds for summer cantonments; for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, six hundred and twenty-four thousand and thirty-eight dollars.

For contingencies of the army, one hundred thousand dollars.

For the medical and hospital department, five hundred thousand dollars.

For repairs, improvements, and new machinery at the national armory, one hundred thousand dollars.

For repairs and improvements at arsenals, including new, and additions to present, buildings, and machinery, tools, and fixtures, fifty thousand dollars.

1819, ch. 45.
Vol. iii. p. 488.
1854, ch. 247, § 6.
Vol. x. p. 576.

1838, ch. 162,
§ 10.
Vol. v. p. 257

Cavalry and
artillery horses.

Officers' bag-
gage.
Transportation.

Public trans-
ports.

Water.

Obstructions
in roads, rivers,
and harbors.

Hire of quar-
ters.

Contingencies
of the army.

Medical and
hospital depart-
ment.

National ar-
mory.

Arsenals.

Magazine for storing gunpowder.

Enlarging Watervleit arsenal.

Fire-proof buildings at Schuylkill arsenal, Pa.

Appropriation for bureau of refugees, freedmen, and abandoned lands.

Salaries of commissioners and assistants.

Clerks. Stationery and printing.

Quarters and fuel.

Clothing for distribution.

Commissary stores.

Medical department.

Transportation.

School superintendents.

School-houses.

Telegraphing.

Advertisements for bids for contracts in quartermaster's department, to state, &c.

Preference to articles of American production. Pacific Coast.

Advertisements in San Francisco and Portland.

Repeal of 1862, ch. 200, § 17.

Vol. xii. p. 596. and of Pub. Res. of April 4, 1862.

Vol. xii. p. 617. Officers in military or naval service, in time of peace, not to be dismissed, except, &c.

Superintendent and officers of military academy may be selected and detailed from any arm of the service.

For purchase of site and erection of magazine for storing gunpowder, two hundred thousand dollars.

For the purchase of land for enlarging the Watervleit arsenal, thirty thousand dollars.

SEC. 2. *And be it further enacted*, That the sum of one hundred and forty-six thousand dollars be, and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to be disbursed by the Secretary of War in the erection of fire proof buildings at or near Schuylkill arsenal in the State of Pennsylvania, to be used as storehouses for government property at that post.

SEC. 3. *And be it further enacted*, That the following sums be and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Bureau of Refugees, Freedmen and Abandoned Lands for the fiscal year commencing July first, eighteen hundred and sixty-six, namely :

The salaries of assistant and sub-assistant commissioners, one hundred and forty-seven thousand five hundred dollars.

For salaries of clerks eighty-two thousand eight hundred dollars.

For stationery and printing, sixty-three thousand dollars.

For quarters and fuel, fifteen thousand nine hundred dollars.

For clothing for distribution, one million one hundred and seventy thousand dollars.

For commissary stores, three million one hundred and six thousand two hundred and fifty dollars.

For medical department, five hundred thousand dollars.

For transportation, one million three hundred and twenty thousand dollars.

For school superintendents, twenty-one thousand dollars.

For repairs and rent of school-houses and asylums, five hundred thousand dollars.

For telegraphing, eighteen thousand dollars.

SEC. 4. *And be it further enacted*, That the Quartermaster's department shall in all cases in obtaining supplies for the military service, state in advertisements for bids for contracts, that a preference shall be given to articles of domestic production and manufacture, conditions of price and quality being equal, and that such preference shall be given to articles of American production and manufacture, produced on the Pacific coast, to the extent of the consumption required by the public service there ; and in advertising for army supplies the Quartermaster's department shall require all articles which are to be used in the States and Territories of the Pacific coast to be delivered and inspected at points designated in those States and Territories ; and the advertisements for such supplies shall be published in newspapers of the cities of San Francisco, in California, and Portland, in Oregon.

SEC. 5. *And be it further enacted*, That section seventeen of an act entitled "An act to define the pay and emoluments of certain officers of the army," approved July seventeenth, eighteen hundred and sixty-two, and a resolution entitled "A resolution to authorize the President to assign the command of troops in the same field or department, to officers of the same grade without regard to seniority," approved, April fourth, eighteen hundred and sixty-two, be and the same are hereby repealed. And no officer in the military or naval service shall in time of peace, be dismissed from service except upon and in pursuance of the sentence of a court-martial to that effect, or in commutation thereof.

SEC. 6. *And be it further enacted*, That the superintendent of the United States Military Academy may hereafter be selected, and the officers on duty at that institution detailed from any arm of the service ; and the supervision and charge of the Academy shall be in the War Department under such officer or officers, as the Secretary of War may assign to that duty.

SEC. 7. *And be it further enacted*, That when it is necessary to employ soldiers as artificers or laborers in the construction of permanent military works, public roads, or other constant labor of not less than ten days' duration in any case, they shall receive in addition to their regular pay, the following additional compensation therefor: enlisted men, working as artificers, and non-commissioned officers employed as overseers of such work, not exceeding one overseer for every twenty men, thirty-five cents per day, and enlisted men employed as laborers twenty cents per day; but such working parties shall only be authorized on the written order of a commanding officer. This allowance of extra pay is not to apply to the troops of the engineer and ordnance departments.

Soldiers employed as artificers or laborers in constant labor of not less than ten days in any case to have extra pay.

Troops of engineer and ordnance department not to have extra pay.

SEC. 8. *And be it further enacted*, That the allowance now made by law to officers travelling under orders where transportation is not furnished in kind shall be increased to ten cents per mile.

Allowance to officers for travel increased.

APPROVED, July 13, 1866.

CHAP. CLXXVII. — *An Act relating to Pilots and Pilot Regulations.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no regulations or provisions shall be adopted by any State of the United States of America which shall make any discrimination in the rate of pilotage or half-pilotage between vessels sailing between the ports of one State and vessels sailing between the ports of different States, or any discrimination against vessels propelled in whole or in part by steam, or against national vessels of the United States, and all existing regulations or provisions making any such discrimination, as herein mentioned, are hereby annulled and abrogated.

No State shall make discrimination in rates of pilotage of certain vessels.

Existing discriminations abrogated.

APPROVED, July 13, 1866.

CHAP. CLXXVIII. — *An Act to amend "An Act making a Grant of Lands to the State of Minnesota to aid in the Construction of the Railroad from St. Paul to Lake Superior," approved May fifth, eighteen hundred and sixty-four.*

July 13, 1866.
1864, ch. 79.
Vol. xiii. p. 64.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the act entitled "An act making a grant of lands to the State of Minnesota to aid in the construction of the railroad from Saint Paul to Lake Superior," approved May fifth, eighteen hundred and sixty-four, be amended by adding thereto the following: *Provided further*, That in case it shall appear, when the line of the Lake Superior and Mississippi railroad is definitely located, that the quantity of land intended to be granted by the said act in aid of the construction of the said road shall be deficient by reason of the line thereof running near the boundary line of the said State of Minnesota, the said company shall be entitled to take from other public lands of the United States within thirty miles of the west line of said road such an amount of lands as shall make up such deficiency: *Provided*, That the same shall be taken in alternate odd sections as provided for in said act.

If land intended to be granted is deficient by reason of nearness of boundary line of the State, how deficiency may be made up.

Odd sections.

APPROVED, July 13, 1866.

CHAP. CLXXIX. — *An Act to extend to certain Persons the Privilege of Admission, in certain Cases, to the United States Government Asylum for the Insane.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That civilians employed in the service of the United States, in the quartermaster's department and the subsistence department of the army, who may be, or may hereafter become, insane while in such employment, shall be admitted on the order of the Secretary of War, the same as persons belonging to the army and

Civilians in quartermaster's and subsistence departments may be admitted to Insane Asylum, if, &c.

navy, to the benefits of the asylum for the insane in the District of Columbia, as now provided by law in reference to soldiers and sailors in the army and navy.

What classes of persons and under what circumstances may be admitted to the asylum.

Men formerly admitted, &c.

SEC. 2. *And be it further enacted*, That the following classes of persons, under the following circumstances, shall be entitled to admission to said asylum on the order of the Secretary of War, if in the army, or the Secretary of the Navy, if in the navy, to wit:

First. Men who, while in the service of the United States, in the army or navy, have been admitted to said asylum, and have been thereafter discharged therefrom on the supposition that they had recovered their reason, and have, within three years after such discharge, become again insane from causes existing at the time of such discharge, and have no adequate means of support.

Indigent insane, &c.

Second. Indigent insane persons, who have been in the same service and been discharged therefrom on account of disability arising from such insanity.

Third. Indigent insane persons, who have become insane within three years after discharge from such service from causes which arose during and were produced by said service.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CLXXX. — *An Act to provide for making the Town of Whitehall, New York, a Port of Delivery.*

Whitehall, N. Y., made a port of delivery in collection district of Champlain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the town of Whitehall, in the State of New York, which by existing law is a port through which imported merchandise may be exported in bond and for drawback to the adjacent British North American provinces, be, and the same is hereby, constituted a port of delivery within the collection district of Champlain, and that a deputy collector, as now authorized by law, shall there reside, who shall receive the same compensation as is now paid to the deputy collector now stationed at that port.

APPROVED, July 13, 1866.

July 13, 1865.

1865, ch. 81, § 4.
Vol. xiii. p. 497.

CHAP. CLXXXI. — *An Act to extend the Benefits of Section four of an Act making Appropriations for the Support of the Army for the year ending June thirtieth, eighteen hundred and sixty-six, approved March third, eighteen hundred and sixty-five.*

Three months' pay to officers of volunteers below the rank of brigadier-general.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of an act entitled "An act making appropriations for the support of the army for the year ending June thirtieth, eighteen hundred and sixty-six," be so construed as to entitle to the three months' pay proper, provided for therein, all officers of volunteers below the rank of brigadier-general who were in service on the third day of March, eighteen hundred and sixty-five, and whose resignations were presented and accepted, or who were mustered out at their own request, or otherwise honorably discharged from the service after the ninth day of April, eighteen hundred and sixty-five.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CLXXXII. — *An Act granting Aid in the Construction of a Railroad and Telegraph Line from the Town of Folsom to the Town of Placerville, in the State of California.*

Right of way granted to the Placerville and Sacramento Railroad Company, for railroad and telegraph.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way through the public lands be, and the same is hereby, granted to the Placerville and Sacramento Valley Railroad Company, a corporation existing under the laws of the State of California, and designated by the legislature thereof, to construct the road hereinafter named, and to its successors and

assigns, for the construction of a railroad and telegraph line from the town of Folsom to the town of Placerville, in said State; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road, material for the construction thereof; said right of way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass over the public lands; also, all necessary ground for station buildings, workshops, depots, machine-shops, switches, side tracks, turn-tables, and water stations.

Material for construction.

Stations, workshops, &c.

Lands granted to said railroad company to aid in the construction of the road, &c.

Certain lands exempted from the grant.

"Mineral" not to include iron or coal lands.

Lands, when and how to be vested in the company.

Ten consecutive miles, &c.

Commissioners.

Pay of commissioners.

Railroad and telegraph, how to be constructed.

Rates for telegraphic service.

Road to be a public highway, and free to the United States.

SEC. 2. *And be it further enacted*, That there be, and is hereby, granted to the Placerville and Sacramento Valley Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the route of said line of railway, every alternate section of public land, not containing gold or silver, designated by odd numbers, to the amount of ten alternate sections per mile, on each side of said railroad line, as said company may adopt, whenever, on the line thereof, the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights at the time the line of said road is definitely fixed, and a plat thereof filed in the office of the Commissioner of the General Land Office; *Provided*, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal.

SEC. 3. *And be it further enacted*, That whenever said Placerville and Sacramento Valley Railroad Company shall have ten consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated, the President of the United States shall appoint three commissioners to examine the same, and if it shall appear that ten miles of said railroad and telegraph line have been completed in a good and substantial manner, and in all respects as required by this act, the commissioners shall so report to the President of the United States, and patents of lands, as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands, situated opposite to and coterminous with said completed section of said road, unless said lands are covered by the exceptions of this act. And from time to time, whenever ten additional miles shall have been constructed, completed, and in readiness, as aforesaid, and verified by the commissioners to the President of the United States, then patents shall be issued to said company, conveying the additional sections of land, as aforesaid: and so on as fast as every ten miles of said road is completed, as aforesaid: *Provided*, That said commissioners named in this section shall be paid, by the company, ten dollars per day for the time actually employed, and ten cents per mile for the distance actually and necessarily travelled each way.

SEC. 4. *And be it further enacted*, That said Placerville and Sacramento Valley railroad shall be constructed in a substantial and workmanlike manner, with all the necessary drains, culverts, bridges, viaducts, crossings, turnouts, stations, and watering-places, and all other appurtenances, including furniture and rolling stock, equal in all respects to railroads of the first class, when prepared for business, with rails of the best quality, manufactured from American iron, and a uniform gauge shall be established the entire length of the road. And there shall be constructed a telegraph line of the most substantial and approved description, to be operated on the entire route: *Provided*, That said company shall not charge higher rates to the government, its officers or agents, than they do to individuals for telegraphic service, and that the said railroad shall be and remain a public highway for the use of the government of the United States free of all toll or other charge upon the transportation of any property or troops of the United States, and the same shall be transported over said road at the cost, charge, and expense of the corporation or com-

pany owning or operating the same when required by the United States to do so.

Lands on both sides of the line of the road to be surveyed, and the odd numbered sections reserved.

1841, ch. 16.
Vol. v. p. 453.

1862, ch. 75.
Vol. xii. p. 392.

Minimum price of lands remaining to the United States.

Conditions of grant.

Work to be begun in one year and finished by July 4, 1869.

If any condition remains broken for one year, title to lands reverts to the United States.

Who may subscribe to the stock of the company.

Company to accept the conditions of this act in writing and within a year.

Company may accept and hold grants, donations, &c.

This act to be void unless \$400,000 of bona fide subscriptions to stock are obtained, and five per cent paid in one year.

Act may be altered or repealed.

SEC. 5. *And be it further enacted*, That the President of the United States shall cause such lands to be surveyed for twenty miles in width on both sides of the entire line of said road, after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale, or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company: and the sections and parts of sections of land which by the aforesaid grant shall remain in the United States within ten miles on each side of said road, shall not be sold for less than double the minimum price of public lands when sold.

SEC. 6. *And be it further enacted*, That each and every grant, right, and privilege herein are so made and given to and accepted by said Placerville and Sacramento Valley Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within one year from the approval of this act by the President, and shall complete the whole road by the fourth day of July, eighteen hundred and sixty-nine.

SEC. 7. *And be it further enacted*, That the United States make the several conditioned grants herein, and that the said Placerville and Sacramento Valley Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then in such case, the title to the public lands herein reserved for the construction of said road shall revert to the United States.

SEC. 8. *And be it further enacted*, That all people of the United States shall have the right to subscribe to the stock of the said Placerville and Sacramento Valley Railroad Company until the whole capital is taken up, by complying with the terms of subscription.

SEC. 9. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Placerville and Sacramento Valley Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed, pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 10. *And be it further enacted*, That the said company is authorized to accept to its own use any grant, donation, or loan, power, franchise, aid or assistance which may be granted to or conferred upon said company by the Congress of the United States, by the legislature of any State, county, or municipal corporation, or by any corporation, person or persons, and said corporation is authorized to hold and enjoy any such grant, donation, loan, or power, franchise, aid, or assistance, to its own use, for the purpose aforesaid.

SEC. 11. *And be it further enacted*, That unless the said Placerville and Sacramento Valley Railroad Company shall obtain bona fide subscription to the stock of said company to the amount of four hundred thousand dollars, with five per centum paid within one year after the passage and approval of this act, it shall be null and void.

SEC. 12. *And be it further enacted*, That Congress may at any time, having due regard for the rights of said Placerville and Sacramento Valley Railroad Company, add to, alter, amend, or repeal this act.

SEC. 13. *And be it further enacted*, That all lots in villages, towns, and cities shall be exempted from, and not subject to, the operations of this act.

Lots in villages, towns, and cities exempted from this act.

APPROVED, July 13, 1866.

CHAP. CLXXXIII. — *An Act relating to Lands granted to the State of Minnesota to aid in constructing Railroads.* July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall appear that the United States have sold or disposed of any lands granted to the Territory or State of Minnesota for the purpose of aiding in the construction of railroads, after the definite location of the line of road, and before the withdrawal of said lands from sale at the proper local land office, said State may by its agent select, in lieu of the lands so sold or disposed of, from any of the lands of the United States subject to sale, being odd numbered sections, within twenty miles of the line of the proper road, a quantity of land equal to that so sold or disposed of; and the lands so selected shall be substituted for those so sold or disposed of by the United States, and may be disposed of by said State in all respects as if said substituted lands had been parcel of the original grant to the State. *Provided, however*, That nothing herein contained shall be so construed as to diminish the quantity of land granted by act of May fifth, eighteen hundred and sixty-four, to the State of Minnesota to aid in the construction of a railroad from St. Paul to Lake Superior.

Lands may be selected by Minnesota in lieu of lands sold or disposed of within limits of grants.

Amounts granted not limited hereby.
1864, ch. 79.
Vol. xiii. p. 64.

SEC. 2. *And be it further enacted*, That the time named in the act granting lands to the Territory of Minnesota to aid in the construction of a certain railroad, "from Saint Paul and from Saint Anthony, by the way of Minneapolis, to a convenient point of junction west of the Mississippi river, to the southern boundary of the Territory," approved March third, eighteen hundred and fifty-seven, for the construction and completion of said road, is hereby extended for seven years from the passage of this act.

Time for completing railroad from St. Paul, &c. extended.

1857, ch. 99, § 4.
Vol. xi. p. 196.

SEC. 3. *And be it further enacted*, That all the lands heretofore granted to the Territory and State of Minnesota to aid in the construction of railroads, shall be certified to said State by the Secretary of the Interior, from time to time, whenever any of said roads shall be definitely located, and shall be disposed of by said State in the manner and upon the conditions provided in the particular act granting the same, as modified by the provisions of this act: *Provided*, That when the original quantity granted to aid in the construction of any road has been increased, the quantity authorized to be sold from time to time shall be increased correspondingly: *And provided, further*, That on the completion of any ten miles of road, the State may sell one half the quantity of lands which said State is authorized to dispose of on the completion of twenty miles.

Lands granted, how to be certified and disposed of.

If original grant has been increased.

State may sell, &c.

SEC. 4. *And be it further enacted*, That the lands granted by any act of Congress to the State of Minnesota, to aid in the construction of railroads in said State, specifically, lying in place, on any division of ten miles of road, shall not be disposed of until the road shall be completed through and coterminous with the same: *Provided, however*, That this provision shall not extend to any lands authorized to be taken to make up deficiencies.

Lands granted to the State, on any ten miles of road, not to be disposed of until, &c.

SEC. 5. *And be it further enacted*, That so much of any act as conflicts with the provisions of this act is hereby repealed.

Repeal of inconsistent laws.

APPROVED, July 13, 1866.

July 13, 1866.
1864, ch. 173.
Vol. xiii. p. 223.
1865, ch. 78.
Vol. xiii. p. 469.

CHAP. CLXXXIV. — *An Act to reduce Internal Taxation and to amend an Act entitled "An Act to provide Internal Revenue to support the Government, to pay Interest on the Public Debt, and for other Purposes," approved June thirtieth, eighteen hundred and sixty-four, and Acts amendatory thereof.*

Unmanufactured cotton to pay a tax of three cents a pound.

By whom to be paid.

Weight, how ascertained.

Tax a lien.

No drawback when, &c.

No tax upon cotton imported.

Tax, how levied and paid.

Collector to mark bales on which tax is paid, and give permit for removal.

Permit to state what.

Collector to keep records of inspections and permits, and to make returns monthly.

Place to be designated where cotton may be brought to be weighed and marked.

Revenue officers may go to mark cotton, if expenses are paid.

Cotton weighed and marked, &c. may be removed to another district upon execution of transportation bonds, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the first day of August, eighteen hundred and sixty-six, in lieu of the taxes on unmanufactured cotton, as provided in "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, there shall be paid by the producer, owner, or holder, upon all cotton produced within the United States, and upon which no tax has been levied, paid, or collected, a tax of three cents per pound, as hereinafter provided; and the weight of such cotton shall be ascertained by deducting four per centum for tare from the gross weight of each bale or package; and such tax shall be and remain a lien thereon, in the possession of any person whomsoever from the time when this law takes effect, or such cotton is produced as aforesaid, until the same shall have been paid; and no drawback shall, in any case, be allowed on raw or unmanufactured cotton of any tax paid thereon when exported in the raw or unmanufactured condition. But no tax shall be imposed upon any cotton imported from other countries, and on which an import duty shall have been paid.

SEC. 2. *And be it further enacted,* That the aforesaid tax upon cotton shall be levied by the assessor on the producer, owner, or holder thereof. And said tax shall be paid to the collector of internal revenue within and for the collection district in which said cotton shall have been produced, and before the same shall have been removed therefrom, except where otherwise provided in this act; and every collector to whom any tax upon cotton shall be paid shall mark the bales or other packages upon which the tax shall have been paid, in such manner as may clearly indicate the payment thereof, and shall give to the owner or other person having charge of such cotton a permit for the removal of the same, stating therein the amount and payment of the tax, the time and place of payment, and the weight and marks upon the bales and packages, so that the same may be fully identified; and it shall be the duty of every such collector to keep clear and sufficient records of all such cotton inspected or marked, and of all marks and identifications thereof, and of all permits for the removal of the same, and of all his transactions relating thereto, and he shall make full returns thereof, monthly, to the commissioner of internal revenue.

SEC. 3. *And be it further enacted,* That the commissioner of internal revenue is hereby authorized to designate one or more places in each collection district where an assessor or an assistant assessor and a collector or deputy collector shall be located, and where cotton may be brought for the purpose of being weighed and appropriately marked: *Provided,* That it shall be the duty of the assessor or assistant assessor and the collector or deputy collector to assess and cause to be properly marked the cotton, wherever it may be, in said district, provided their necessary travelling expenses to and from said designated place, for that purpose, be paid by the owners thereof.

SEC. 4. *And be it further enacted,* That all cotton having been weighed and marked as herein provided, and for which permits shall have been duly obtained of the assessor, may be removed from the district in which it has been produced to any one other district, without prepayment of the tax due thereon, upon the execution of such transportation bonds or other security, and in accordance with such regulations as shall be prescribed by the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury. The said cotton so removed shall be

delivered to the collector of internal revenue or his deputy forthwith upon its arrival at its point of destination, and shall remain subject to his control until the taxes thereon, and any necessary charges of custody thereof, shall have been paid, but nothing herein contained shall authorize any delay of the payment of said taxes for more than ninety days from the date of the permits; and when cotton shall have been weighed and marked for which a permit shall have been granted without prepayment of the tax, it shall be the duty of the assessor granting such permit to give immediate notice of such permit to the collector of internal revenue for the district to which said cotton is to be transported, and he shall also transmit therewith a statement of the taxes due thereon, and of the bonds or other securities for the payment thereof, and he shall make full returns and statements of the same to the commissioner of internal revenue.

SEC. 5. *And be it further enacted*, That it shall be unlawful, from and after the first day of September, eighteen hundred and sixty-six, for the owner, master, supercargo, agent, or other person having charge of any vessel, or for any railroad company, or other transportation company, or for any common carrier, or other person, to convey, or attempt to convey, or transport any cotton, the growth or produce of the United States, from any point in the district in which it shall have been produced, unless each bale or package thereof shall have attached to or accompanying it the proper marks or evidence of the payment of the revenue tax and a permit of the collector for such removal, or the permit of the assessor, as hereinbefore provided, under regulations of the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, or to convey or transport any cotton from any State in which cotton is produced to any port or place in the United States without a certificate from the collector of internal revenue of the district from which it was brought, and such other evidence as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe, that the tax has been paid thereon, or the permit of the assessor as hereinbefore provided, and such certificate and evidence as aforesaid shall be furnished to the collector of the district to which it is transported, and his permit obtained before landing, discharging, or delivering such cotton at the place to which it is transported as aforesaid. And any person or persons who shall violate the provisions of this act in this respect, or who shall convey or attempt to convey from any State in which cotton is produced to any port or place without the United States any cotton upon which the tax has not been paid, shall be liable to a penalty of one hundred dollars for each bale of cotton so conveyed or transported, or attempted to be conveyed or transported, or to imprisonment for not more than one year, or both; and all vessels and vehicles employed in such conveyance or transportation shall be liable to seizure and forfeiture, by proceedings in any court of the United States having competent jurisdiction. And all cotton so shipped or attempted to be shipped or transported without payment of the tax, or the execution of such transportation bonds or other security, as provided in this act, shall be forfeited to the United States, and the proceeds thereof distributed according to the statute in like cases provided.

SEC. 6. *And be it further enacted*, That upon articles manufactured exclusively from cotton, when exported, there shall be allowed as a drawback an amount equal to the internal tax which shall have been assessed and paid upon such articles in their finished condition, and in addition thereto a drawback or allowance of as many cents per pound upon the pound of cotton cloth, yarn, thread, or knit fabrics, manufactured exclusively from cotton and exported, as shall have been assessed and paid in the form of an internal tax upon the raw cotton entering into the manufacture of said cloth or other article, the amount of such allowance or drawback to be ascertained in such manner as may be prescribed by the

Cotton to be delivered to collector on arrival and kept until tax is paid, which must be in ninety days.

Assessor to notify collector of permits granted when tax is not paid, &c.

Transportation of cotton from place of production, unless marked, &c., forbidden;

from any State in which cotton is produced to any other place without certificate, &c.

Penalty.

Fine.

Imprisonment.

Vessels and vehicles and cotton forfeited.

Drawback upon manufactures exclusively of cotton.

Amount of drawback;

how to be ascertained.

Repeal of part
of 1864, ch. 173,
§ 171.
Vol. xiii. p. 302.

Manufacturers
of cotton in dis-
trict of produc-
tion to make
monthly state-
ment to assessor
under oath.

First statement
when to be made
and what to
state.

Subsequent
statements.

Books to be
kept and entries
made therein ;

to be open to
the inspection of
revenue officers.

Tax to be paid
monthly.

Penalty for
neglecting to
make returns or
keep books, or
making false re-
turns, &c. ;
cotton, &c. to
be forfeited ;
fine, or impris-
onment.

False oath, &c.,
in this matter to
be perjury.

Tax on manu-
factured goods
not affected.

Provisions of
law concerning
the collection,
&c., of taxes, &c.,
applicable to the
tax on cotton,
&c.

commissioner of internal revenue, under the direction of the Secretary of the Treasury ; and so much of section one hundred and seventy-one of the act of June thirty, eighteen hundred and sixty-four, " To provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," as now provides for a drawback on manufactured cotton, is hereby repealed.

SEC. 7. *And be it further enacted*, That it shall be the duty of every person, firm, or corporation, manufacturing cotton for any purpose whatever, in any district where cotton is produced, to return to the assessor or assistant assessor of the district in which such manufacture is carried on, a true statement in writing, signed by him, and verified by his oath or affirmation, on or before the tenth day of each month ; and the first statement so rendered shall be on or before the tenth day of August, eighteen hundred and sixty-six, and shall state the quantity of cotton which such manufacturer had on hand and unmanufactured, or in process of manufacture, on the first day of said month ; and each subsequent statement shall show the whole quantity in pounds, gross weight, of cotton purchased or obtained, and the whole quantity consumed by him in any business or process of manufacture during the last preceding calendar month, and the quantity and character of the goods manufactured therefrom ; and every such manufacturer or consumer shall keep a book, in which he shall enter the quantity, in pounds, of cotton which he has on hand on the first day of August, eighteen hundred and sixty-six, and each quantity or lot purchased or obtained by him thereafter ; the time when and the party or parties from whom the same was obtained ; the quantity of said cotton, if any, which is the growth of the collection district where the same is manufactured ; the quantity, if any, which has not been weighed and marked by any officer herein authorized to weigh and mark the same ; the quantity, if any, upon which the tax had not been paid, so far as can be ascertained, before the manufacture thereof ; and also the quantities used or disposed of by him from time to time in any process of manufacture or otherwise, and the quantity and character of the product thereof, which book shall, at all times during business hours, be open to the inspection of the assessor, assistant assessors, collector or deputy collectors of the district, inspectors, or of revenue agents ; and such manufacturer shall pay monthly to the collector, within the time prescribed by law, the tax herein specified, subject to no deductions, on all cotton so consumed by him in any manufacture, and on which no excise tax has previously been paid ; and every such manufacturer or person whose duty it is so to do, who shall neglect or refuse to make such returns to the assessor, or to keep such book, or who shall make false or fraudulent returns, or make false entries in such book, or procure the same to be so done, in addition to the payment of the tax to be assessed thereon, shall forfeit to the United States all cotton and all products of cotton in his possession, and shall be liable to a penalty of not less than one thousand nor more than five thousand dollars, to be recovered with costs of suit, or to imprisonment not exceeding two years, in the discretion of the court ; and any person or persons who shall make any false oath or affirmation in relation to any matter or thing herein required shall be guilty of perjury, and shall be subject to the punishment prescribed by existing statutes for that offence : *Provided*, That nothing herein contained shall be construed in any manner to affect the liability of any person for any tax imposed by law on the goods manufactured from such cotton.

SEC. 8. *And be it further enacted*, That the provisions of the act of June thirty, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, relating to the assessment of taxes and enforcing the collection of the same, and all proceedings and remedies relating thereto, shall apply to the assessment and collection of the tax, fines, and penalties imposed by, and not inconsistent with, the provi-

sions of the preceding sections of this act; and the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, shall make all necessary rules and regulations for ascertaining the weight of all cotton to be assessed, and for appropriately marking the same, and generally for carrying into effect the foregoing provisions. And the Secretary of the Treasury is authorized to appoint all necessary inspectors, weighers, and markers of cotton, whose compensation shall be determined by the commissioner of internal revenue, and paid in the same manner as inspectors of tobacco are paid.

Rules and regulations.

Appointment of inspectors, weighers, and markers, &c.

SEC. 9. *And be it further enacted*, That the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, be, and the same is hereby, amended as follows, viz :

Amendments to act of 1864, ch. 173.

That section five be amended by adding thereto the following: And any inspector, or revenue agent, or any special agent appointed by the Secretary of the Treasury, who shall demand or receive any compensation, fee, or reward, other than such as are provided by law for, or in regard to, the performance of his official duties, or shall be guilty of any extortion or wilful oppression in the discharge of such duties, shall, upon conviction thereof in any circuit or district court of the United States having jurisdiction thereof, be subject to a fine of not exceeding one thousand dollars, or to imprisonment for not exceeding one year, or both, at the discretion of the court, and shall be dismissed from office, and shall be forever disqualified from holding any office under the government of the United States. And one half of the fine so imposed shall be for the use of the United States, and the other half for the use of the person, to be ascertained by the judgment of the court, who shall first give the information whereby any such fine may be imposed.

Section 5.

Penalty upon inspectors, &c. for extortion or oppression.

Fine; imprisonment; dismissal from office; disqualification, &c.

One half of fine to the United States and one half to informer.

That section eight be amended by striking out of said section all after the words "until an appointment filling the vacancy shall be made."

Section 8.

That section fourteen be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in case any person shall be absent from his or her residence or place of business at the time an assistant assessor shall call for the annual list or return, and no annual list or return has been rendered by such person to the assistant assessor as required by law, it shall be the duty of such assistant assessor to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office, a note or memorandum, addressed to such person, requiring him or her to render to such assistant assessor the list or return required by law within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person, on being notified or required as aforesaid, shall refuse or neglect to render such list or return within the time required as aforesaid, or if any person without notice, as aforesaid, shall not deliver a monthly or other list or return at the time required by law, or if any person shall deliver or disclose to any assessor or assistant assessor any list, statement, or return which, in the opinion of the assessor, is false or fraudulent, or contains any understatement or undervaluation, it shall be lawful for the assessor to summon such person, his agent, or other person having possession, custody, or care of books of account containing entries relating to the trade or business of such person, or any other person he may deem proper, to appear before such assessor and produce such book, at a time and place therein named, and to give testimony or answer interrogatories under oath or affirmation respecting any objects liable to tax as aforesaid, or the lists, statements, or returns thereof, or any trade, business, or profession liable to any tax as aforesaid. And the assessor may summon, as aforesaid, any person residing or found within the State in which his district is situated. And when the person in-

Section 14.

Assistant assessors when to notify persons to render lists.

If persons neglect to render lists, or render false lists, assessor may summon them to appear, produce books, &c.

Assessor may summon witnesses.

If persons do not reside, &c., in State, assessor may enter any district where, &c., and make examination.

Summons how served.

Certificate of service to be evidence.

Description of books.

Penalty for neglecting, &c. to obey summons, &c.

Attachment for contempt, &c.

Assessors to enter premises, take views, and make up lists.

100 per cent to be added to tax for false lists, and 50 per cent for neglect, &c.

Further time.

Amount added, how to be collected.

Section 19.

Assessors to advertise when taxes may be paid ;

to post notices.

Appeals.

tended to be summoned does not reside and cannot be found within such State, the assessor may enter any collection district where such person may be found, and there make the examination hereinbefore authorized. And to this end he shall there have and may exercise all the power and authority he has or may lawfully exercise in the district for which he is commissioned. The summons authorized by this section shall in all cases be served by an assistant assessor of the district where the person to whom it is directed may be found, by an attested copy delivered to such person in hand or left at his last and usual place of abode, allowing such person at the rate of one day for each twenty-five miles he may be required to travel, computed from the place of service to the place of examination ; and the certificate of service signed by such assistant assessor shall be evidence of the facts it states on the hearing of an application for an attachment ; and when the summons requires the production of books, it shall be sufficient if such books are described with reasonable certainty. In case any person so summoned shall neglect or refuse to obey such summons, or to give testimony, or to answer interrogatories as required, it shall be lawful for the assessor to apply to the judge of the district court or to a commissioner of the circuit court of the United States for the district within which the person so summoned resides for an attachment against such person as for a contempt. It shall be the duty of such judge or commissioner to hear such application, and, if satisfactory proof be made, to issue an attachment, directed to some proper officer, for the arrest of such person, and upon his being brought before him to proceed to a hearing of the case ; and upon such hearing the judge or commissioner shall have power to make such order as he shall deem proper, not inconsistent with the provisions of existing laws for the punishment of contempts, to enforce obedience to the requirements of the summons and punish such person for his default or disobedience. It shall be the duty of the assessor or assistant assessor of the district within which such person shall have taxable property to enter into and upon the premises, if it be necessary, of such person so refusing or neglecting, or rendering a false or fraudulent list or return, and to make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the assessor, and on his own view and information, such list or return, according to the form prescribed, of the property, goods, wares, and merchandise, and all articles or objects liable to tax, owned or possessed or under the care or management of such person, and assess the tax thereon, including the amount, if any, due for special or income tax ; and in case of the return of a false or fraudulent list or valuation, he shall add one hundred per centum to such tax ; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add fifty per centum to such tax ; and in case of neglect occasioned by sickness or absence as aforesaid, the assessor may allow such further time for making and delivering such list or return as he may judge necessary, not exceeding thirty days ; and the amount so added to the tax shall, in all cases, be collected by the collector at the same time and in the same manner as the tax ; and the list or return so made and subscribed by such assessor or assistant assessor shall be taken and reputed as good and sufficient for all legal purposes.

That section nineteen be amended by striking out all after the enacting clause, and inserting in lieu thereof the following : That the assessor for each collection district shall give notice by advertisement in one newspaper published in each county within said district, and if there be none published in the district, then in a newspaper published in a collection district adjoining thereto, and shall post notices in at least four public places within each assessment district, and shall mail a copy of such notice to each postmaster in his district, to be posted in his office, stating the time and place within said collection district when and where appeals will

be received and determined relative to any erroneous or excessive valuations, assessments, or enumerations by the assessor or assistant assessor returned in the annual list, and such notice shall be advertised and posted by the assessor and mailed as aforesaid at least ten days before the time appointed for hearing said appeals. And it shall be the duty of the assessor for each collection district, at the time fixed for hearing such appeals as aforesaid, to submit the proceedings of the assessor and assistant assessor, and the annual lists taken and returned as aforesaid, to the inspection of any and all persons who may apply for that purpose. And such assessor is hereby authorized at any time to hear and determine in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessor or assistant assessors, and the office or principal place of business of the said assessor shall be open during the business hours of each day for the hearing of appeals by parties who shall appear voluntarily before him: *Provided*, That no appeal shall be allowed to any party after he shall have been duly assessed, and the annual list containing the assessment has been transmitted to the collector of the district. And all appeals to the assessor as aforesaid shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested, and shall, moreover, state the ground or principle of error complained of. And the assessor shall have power to re-examine and determine upon the assessments and valuations, and rectify the same as shall appear just and equitable; but such valuation, assessment, or enumeration shall not be increased without a previous notice of at least five days to the party interested to appear and object to the same if he judge proper, which notice shall be in writing and left at the dwelling-house, office, or place of business of the party by such assessor, assistant assessor, or other person, or sent by mail to the nearest or usual post office address of said party: *Provided further*, That on the hearing of appeals it shall be lawful for the assessor to require by summons the attendance of witnesses and the production of books of account in the same manner and under the same penalties as are provided in cases of refusal or neglect to furnish lists or returns. The costs for the attendance and mileage of said witnesses shall be taxed by the assessor and paid by the delinquent parties, or by the disbursing agent for the district, on certificate of the assessor, at the rates allowed to witnesses in the district courts of the United States.

That section twenty be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the assessor of each collection district shall, immediately after the expiration of the time for hearing appeals concerning taxes returned in the annual list, and from time to time, as taxes become liable to be assessed, make out lists containing the sums payable according to law upon every subject of taxation for each collection district; which list shall contain the name of each person residing within the said district, or owning or having the care or superintendence of property lying within the said district, or engaged in any business or pursuit which is liable to any tax, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district liable to tax, not owned or occupied by or under the superintendence of any person resident therein, there shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors when known. And the assessor making out any such separate list shall transmit to the assessor of the district where the persons liable to pay such tax reside, or shall have their principal place of business, copies of the list of property held by persons so liable to pay such tax, to the end that the taxes assessed under the provisions of this act may be paid within the collection district where the persons liable to pay the same reside, or may have their principal place of business. And in all other cases the said assessor shall

Returns may be inspected.

Appeals may be determined in a summary way;

not to be allowed after, &c.;

to be in writing and state what.

Reassessments.
No increase, except after notice.

Witnesses and books.

Costs and how paid.

Section 20.
Assessors when to make lists.

Lists to contain what.

Property of non-residents.

Lists to be sent to collector in ten days after, &c.

Special lists may be made within, &c., of property omitted, or understated, &c.

Other provisions of law to apply.

"Duty" to mean "tax."

Section 21.

Section 22.

Pay of assessors.

Commissions.

Limit of salary.

Officer rent, and account thereof.

Clerk-hire, and account therefor.

furnish to the collectors of the several collection districts, respectively, within ten days after the time of hearing appeals concerning taxes returned in the annual list, and from time to time thereafter as required, a certified copy of such list or lists for their proper collection districts. And in case it shall be ascertained that the annual list, or any other list, which may have been, or which shall hereafter be, delivered to any collector, is imperfect or incomplete in consequence of the omission of the names of any persons or parties liable to tax, or in consequence of any omission, or understatement, or undervaluation, or false or fraudulent statement contained in any return or returns made by any persons or parties liable to tax, the said assessor may, from time to time, or at any time within fifteen months from the time of the passage of this act or from the time of the delivery of the list to the collector as aforesaid, enter on any monthly or special list the names of such persons or parties so omitted, together with the amount of tax for which they may have been or shall become liable, and also the names of the persons or parties in respect to whose returns, as aforesaid, there has been or shall be any omission, undervaluation, understatement, or false or fraudulent statement, together with the amounts for which such persons or parties may be liable, over and above the amount for which they may have been, or shall be, assessed upon any return or returns made as aforesaid, and shall certify or return said list to the collector as required by law. And all provisions of law for the ascertainment of liability to any tax, or the assessment or collection thereof, shall be held to apply, as far as may be necessary to the proceedings herein authorized and directed. And wherever the word "duty" is used in this act, or the acts to which this is an amendment, it shall be construed to mean "tax," whenever such construction shall be necessary in order to effect the purposes of said acts.

That section twenty-one be amended by striking out the words "without having taken the oath or affirmation required by this act," and inserting in lieu thereof the words "without having taken the oath or affirmation required by law."

That section twenty-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That there shall be allowed and paid to the several assessors a salary of fifteen hundred dollars per annum, payable quarterly; and, in addition thereto, where the receipts of the collection district shall exceed the sum of one hundred thousand dollars, and shall not exceed the sum of four hundred thousand dollars annually, one half of one per centum upon the excess of receipts over one hundred thousand dollars. Where the receipts of a collection district shall exceed four hundred thousand dollars, and shall not exceed six hundred thousand, one fifth of one per centum upon the excess of receipts over four hundred thousand dollars. Where the receipts shall exceed six hundred thousand dollars, one tenth of one per centum upon such

excess; but the salary of no assessor shall in any case exceed the sum of four thousand dollars. And the several assessors shall be allowed and paid the sums actually and necessarily expended, with the approval of the commissioner of internal revenue, for office rent; but no account of such rent shall be allowed or paid until it shall have been verified in such manner as the commissioner shall require, and shall have been audited and approved by the proper officers of the Treasury Department. And the several assessors shall be paid, after the account thereof shall have been rendered to and approved by the proper officers of the treasury, their necessary and reasonable charges for clerk-hire; but no such account shall be approved unless it shall state the name or names of the clerk or clerks employed, and the precise periods of time for which they were respectively employed, and the rate of compensation agreed upon, and shall be accompanied by an affidavit of the assessor stating that such service

was actually required by the necessities of his office, and was actually rendered, and also by the affidavit of each clerk, stating that he has rendered the service charged in such account on his behalf, the compensation agreed upon, and that he has not paid, deposited or assigned, or contracted to pay, deposit, or assign any part of such compensation to the use of any other person, or in any way, directly or indirectly, paid or given, or contracted to pay or give, any reward or compensation for his office or employment, or the emoluments thereof; and the chief clerk of any such assessor is hereby authorized to administer, in the absence of the assessor, such oaths or affirmations as are required by this act. And there shall be allowed and paid to each assistant assessor four dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor, and three dollars for every hundred persons asse[sse]d contained in the tax list, as completed and delivered by him to the assessor, and twenty-five cents for each permit granted for making tobacco, snuff, or cigars; and assistant assessors may be allowed, in the settlement of their accounts, such sum as the commissioner of internal revenue shall approve, not exceeding three hundred dollars per annum, for office rent; but no account for such rent shall be allowed or paid until it shall have been verified in such manner as the commissioner of internal revenue may require, and shall have been audited and approved by the proper officers of the Treasury Department; and assistant assessors, when employed outside of the town in which they reside, in addition to the compensation now allowed by law, shall, during such time so employed, receive one dollar per day; and the said assessors and assistant assessors, respectively, shall be paid, after the account thereof shall have been rendered to and approved by the proper officers of the treasury, their necessary and reasonable charges for stationery and blank books used in the discharge of their duties, and for postage actually paid on letters and documents received and sent, and relating exclusively to official business, and for money actually paid for publishing notices required by this act: *Provided*, That no such account shall be approved unless it shall state the date and the particular item of every such expenditure, and shall be verified by the oath or affirmation of such assessor or assistant assessor; and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized: *Provided further*, That the commissioner of internal revenue may, under such regulations as may be established by the Secretary of the Treasury, after due public notice, receive bids and make contracts for supplying stationery, blank books, and blanks to the assessors, assistant assessors, and collectors in the several collection districts: *Provided further*, That the Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in cases where a collection district embraces more than a single congressional district, and to assessors and assistant assessors, revenue agents, and inspectors in Louisiana, Georgia, South Carolina, Alabama, Florida, Texas, Arkansas, North Carolina, Mississippi, Tennessee, California, Nevada, and Oregon, and the Territories, as may appear to him to be just and equitable, in consequence of the greater cost of living and travelling in those States and Territories, and as may, in his judgment, be necessary to secure the services of competent officers; but the compensation thus allowed shall not exceed the rate of five thousand dollars per annum. Collectors of internal revenue acting as disbursing officers shall be allowed all bills of assistant assessors heretofore paid by them in pursuance of the directions of the commissioner of internal revenue, notwithstanding the assistant assessor did not certify to hours therein, or that two dollars per diem was deducted from his salary or compensation before computation of the tax thereon.

Affidavit of clerk.

Chief clerk may administer certain oaths.

Assistant assessors.
Pay, &c.

Office rent, &c

When employed outside of place of residence.

Stationery, blank books, postage, &c.

Accounts, how made and verified.

Bids and contracts for supplying stationery, &c.

Additional compensation to assessors and assistants, &c., in certain districts;

not to exceed \$5000 a year.

Collectors acting as disbursing officers to be allowed bills heretofore paid.

That section twenty-four be amended by striking out the proviso there-

Section 24.

Commissions of assessors and collectors in districts whence and to which cotton and distilled spirits are shipped, &c.

to, and inserting in lieu thereof the following: *Provided*, That in calculating the commissions of assessors and collectors of internal revenue in districts whence cotton or distilled spirits are shipped in bond to be sold in another district, one half the amount of tax received on the quantity of cotton or spirits so shipped shall be added to the amount on which the commissions of such assessors and collectors are calculated, and a corresponding amount shall be deducted from the amount on which the commissions of the assessors and collectors of the districts to which such cotton or spirits are shipped are calculated.

Section 26.

Accounts after June 30, 1864, to be adjusted to the fiscal year.

That section twenty-six be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in the adjustment of the accounts of assessors and collectors of internal revenue which shall accrue after the thirtieth of June, eighteen hundred and sixty-four, and in the payment of their compensation for services after that date, the fiscal year of the treasury shall be observed; and where such compensation, or any part of it, shall be by commissions upon assessments or collections, and shall during any year, in consequence of a new appointment, be due to more than one assessor or collector in the same district, such commissions shall be apportioned between such assessors or collectors; but in no case shall a greater amount of the commissions be allowed to two or more assessors or collectors in the same district than is or may be authorized by law to be allowed to one assessor or collector. And the salary and commissions of assessors and collectors heretofore earned and accrued shall be adjusted, allowed, and paid in conformity to the provisions of this section, and not otherwise; but no payment shall be made to assessors or collectors on account of salaries or commissions without the certificate of the commissioner of internal revenue that all reports required by law or regulation have been received, or that a satisfactory explanation has been rendered to him of the cause of the delay.

Apportionment of commissions.

No salaries, &c. to be paid, unless commissioner certifies that all reports, &c. have been received.

Section 28.

Collectors to give notice that taxes are payable, and of the time and place of payment;

That section twenty-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That each of said collectors shall, within twenty days after receiving his annual collection list from the assessors, give notice, by advertisement in one newspaper published in each county in his collection district, if there be any, and if not, then in a newspaper published in an adjoining county, and by notifications to be posted in at least four public places in each county in his collection district, that the said taxes have become due and payable, and state the time and place within said county at which he or his deputy will attend to receive the same, which time shall not be less than ten days after the date of such notification, and shall send a copy of such notice by mail to each postmaster in the county, to be posted in his office. And if any person shall neglect to pay, as aforesaid, for more than ten days, it shall be the duty of the collector or his deputy to issue to such person a notice, to be left at his dwelling or usual place of business, or be sent by mail, demanding the payment of said taxes, stating the amount thereof, with a fee of twenty cents for the issuing and service of such notice, and with four cents for each mile actually and necessarily travelled in serving the same. And if such persons shall not pay the duties or taxes, and the fee of twenty cents and mileage as aforesaid, within ten days after the service or the sending by mail of such notice, it shall be the duty of the collector or his deputy to collect the said taxes and fee of twenty cents and mileage, with a penalty of ten per centum additional upon the amount of taxes. And with respect to all such taxes as are not included in the annual lists aforesaid, all taxes the collection of which is not otherwise provided for in this act, it shall be the duty of each collector, in person or by deputy, to give notice and demand payment thereof, in the manner last mentioned, within ten days from and after receiving the list thereof from the assessor, or within twenty days from and after the expiration of the time within which such tax should have been paid; and if the annual

to notify persons not paying.

If taxes are not paid in ten days, &c., ten per cent additional, &c. to be paid.

Notice for taxes not in annual lists.

or other taxes shall not be paid within ten days from and after such notice and demand, it shall be lawful for such collector, or his deputies, to proceed to collect the said taxes, with ten per centum additional thereto, as aforesaid, by distraint and sale of the goods, chattels, or effects, including stocks, securities, and evidences of debt, of the persons delinquent as aforesaid. And in case of distraint, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or effects distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods or effects, or at his or her dwelling or usual place of business, with some person of suitable age and discretion, if any such can be found, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be published in some newspaper within the county wherein said distraint is made, if there is a newspaper published in said county, or to be publicly posted at the post office, if there be one within five miles, nearest to the residence of the person whose property shall be distrained, and in not less than two other public places, which notice shall specify the articles distrained, and the time and place for the sale thereof, which time shall not be less than ten nor more than twenty days from the date of such notification to the owner or possessor of the property and the publication or posting of such notice as herein provided, and the place proposed for sale shall not be more than five miles distant from the place of making such distraint. And said sale may be adjourned from time to time by said officer, if he shall think it advisable to do so, but not for a time to exceed in all thirty days. And if any person, bank, association, company, or corporation, liable to pay any tax, shall neglect or refuse to pay the same after demand, the amount shall be a lien in favor of the United States from the time it was due until paid, with the interest, penalties, and costs that may accrue in addition thereto, upon all property and rights to property belonging to such person, bank, association, company, or corporation; and the collector, after demand, may levy, or by warrant may authorize a deputy collector to levy, upon all property and rights to property belonging to such person, bank, association, company, or corporation, or on which the said lien exists, for the payment of the sum due as aforesaid, with interest and penalty for non-payment, and also of such further sum as shall be sufficient for the fees, costs and expenses of such levy. And in all cases of sale, as aforesaid, the certificate of such sale shall transfer to the purchaser all right, title and interest of such delinquent in and to the property sold; and where such property shall consist of stocks, said certificate shall be notice, when received, to any corporation, company, or association of said transfer, and shall be authority to such corporation, company, or association to record the same on their books and records, in the same manner as if transferred or assigned by the person or party holding the same, in lieu of any original or prior certificates, which shall be void, whether cancelled or not. And said certificates, where the subject of sale shall be securities or other evidences of debt, shall be good and valid receipts to the person holding the same, as against any person holding, or claiming to hold, possession of such securities or other evidences of debt. And all persons, and officers of companies or corporations, are required, on demand of a collector or deputy collector about to distraint, or having distrained on any property or rights of property, to exhibit all books containing evidence or statements relating to the subject or subjects of distraint, or the property or rights of property liable to distraint for the tax so due as aforesaid: *Provided*, That in any case of distraint for the payment of the taxes aforesaid, the goods, chattels, or effects so distrained shall and may be restored to the owner or possessor, if, prior to the sale, payment of the amount due shall be made to the proper officer charged with the collection, together with the fees and other charges; but in case of non-payment as

When collectors may distraint for taxes.

Proceedings in case of distraint.

Notice.

Sale.

Tax to be a lien.

Levy for taxes.

Effect of certificate of sale.

Books containing evidence of property, the subject of distraint, to be exhibited to collector on demand.

Property distrained may be restored to owner, if, &c.

Proceeds of sales, how disposed of.

Exemptions from distraint.

Appraisal thereof.

Section 29.

Where property liable to distraint is not divisible, whole may be sold.

Proceeds how disposed of.

If amount bid is not equal to tax, collector may buy for the United States.

If no assessment has been made.

Property purchased may be sold.

Account of charges and expenses in sales or seizures, to be rendered.

Section 30.

When real estate may be sold for taxes.

aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects at public auction, and shall retain from the proceeds of such sale the amount demandable for the use of the United States, and a commission of five per centum thereon for his own use, with the fees and charges for distraint and sale, rendering the overplus, if any there be, to the person who may be entitled to receive the same: *Provided further*, That there shall be exempt from distraint and sale, if belonging to the head of a family, the school-books and wearing apparel necessary for such family; also arms for personal use, one cow, two hogs, five sheep and the wool thereof, provided the aggregate market value of said sheep shall not exceed fifty dollars; the necessary food for such cow, hogs, and sheep for a period not exceeding thirty days; fuel to an amount not greater in value than twenty-five dollars; provisions to an amount not greater than fifty dollars; household furniture kept for use to an amount not greater than three hundred dollars; and the books, tools, or implements of a trade or profession to an amount not greater than one hundred dollars shall also be exempt; and the officer making the distraint shall summon three disinterested householders of the vicinity, who shall appraise and set apart to the owner the amount of property herein declared to be exempt.

That section twenty-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in all cases where property liable to distraint for taxes may not be divisible, so as to enable the collector by a sale of part thereof to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, and charges, shall be paid to the person legally entitled to receive the same; or if he cannot be found, or refuse to receive the same, then such surplus shall be deposited in the treasury of the United States, to be there held for the use of the person legally entitled to receive the same, until he shall make application therefor to the Secretary of the Treasury, who, upon such application and satisfactory proofs in support thereof, shall, by warrant on the treasury, cause the same to be paid to the applicant. And if any of the property advertised for sale as aforesaid is of a kind subject to tax, and such tax has not been paid, and the amount bid for such property is not equal to the amount of such tax, the collector may purchase the same in behalf of the United States for an amount not exceeding the said tax. And in all cases where property subject to tax, but upon which the tax has not been paid, shall be seized upon distraint and sold, the amount of such tax shall, after deducting the expenses of such sale, be first appropriated out of the proceeds thereof to the payment of said tax. And if no assessment of tax has been made upon such property, the collector shall make a return thereof in the form required by law, and the assessor shall assess the tax thereon. And all property so purchased may be sold by said collector, under such regulations as may be prescribed by the commissioner of internal revenue. And the collector shall render a distinct account of all charges incurred in the sale of such property to the commissioner of internal revenue, who shall by regulation determine the fees and charges to be allowed in all cases of distraint and other seizures; or where necessary expenses for making such distraint or seizure have been incurred, and in case of sale, the said collector shall pay into the treasury the surplus, if any there be, after defraying such fees and charges.

That section thirty be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in any case where goods, chattels, or effects sufficient to satisfy the taxes imposed by law upon any person liable to pay the same shall not be found by the collector or deputy collector whose duty it may be to collect the same, he is hereby authorized to collect the same by seizure and sale of real estate; and the officer making such seizure and sale shall give notice to the person whose

estate is proposed to be sold, by giving him in hand, or leaving at his last or usual place of abode, if he has any such within the collection district where said estate is situated, a notice, in writing, stating what particular estate is proposed to be sold, describing the same with reasonable certainty, and the time when and place where said officer proposes to sell the same; which time shall not be less than twenty nor more than forty days from the time of giving said notice. And the said officer shall also cause a notification to the same effect to be published in some newspaper within the county where such seizure is made, if any such there be, and shall also cause a like notice to be posted at the post office nearest to the estate to be seized, and in two other public places within the county; and the place of said sale shall not be more than five miles distant from the estate seized, except by special order of the commissioner of internal revenue. At the time and place appointed, the officer making such seizure shall proceed to sell the said estate at public auction, offering the same at a minimum price, including the expense of making such levy, and all charges for advertising and an officer's fee of ten dollars. And in case the real estate so seized, as aforesaid, shall consist of several distinct tracts or parcels, the officer making sale thereof shall offer each tract or parcel for sale separately, and shall, if he deem it advisable, apportion the expenses, charges, and fees, aforesaid, to such several tracts or parcels, or to any of them, in estimating the minimum price aforesaid. And if no person offers for said estate the amount of said minimum price, the officer shall declare the same to be purchased by him for the United States, and shall deposit with the district attorney of the United States a deed thereof, as hereinafter specified and provided; otherwise, the same shall be declared to be sold to the highest bidder. And said sale may be adjourned from time to time by said officer for not exceeding thirty days in all, if he shall think it advisable so to do. If the amount bid shall not be then and there paid, the officer shall forthwith proceed to again sell said estate in the same manner; and upon any sale and the payment of the purchase money shall give to the purchaser a certificate of purchase, which shall set forth the real estate purchased, for whose taxes the same was sold, the name of the purchaser and the price paid therefor; and if the said real estate be not redeemed in the manner and within the time hereinafter provided, then the said collector or deputy collector shall execute to the said purchaser, upon his surrender of said certificate, a deed of the real estate purchased by him as aforesaid, reciting the facts set forth in said certificate, and in accordance with the laws of the State in which such real estate is situate upon the subject of sales of real estate under execution, which said deed shall be prima facie evidence of the facts therein stated; and if the proceedings of the officer as set forth have been substantially in accordance with the provisions of law, shall be considered and operate as a conveyance of all the right, title, and interest the party delinquent had in and to the real estate thus sold at the time the lien of the United States attached thereto. Any person, whose estate may be proceeded against as aforesaid, shall have the right to pay the amount due, together with the costs and charges thereon, to the collector or deputy collector at any time prior to the sale thereof, and all further proceedings shall cease from the time of such payment. The owners of any real estate sold as aforesaid, their heirs, executors, or administrators, or any person having any interest therein, or a lien thereon, or any person in their behalf, shall be permitted to redeem the land sold as aforesaid, or any particular tract thereof, at any time within one year after the sale thereof, upon payment to the purchaser, or, in case he cannot be found in the county in which the land to be redeemed is situate, then to the collector of the district in which the land is situate, for the use of the purchaser, his heirs or assigns, the amount paid by the said purchaser and interest thereon at the rate of twenty per centum per annum. And any collector

Proceedings in case of sales of real estate.

Notice.

Place of sale.

Sale.

If real estate is of several tracts.

When may be bought for the United States.

Adjournment of sale.

Certificate of purchase.

Deed to be given upon surrender of certificate;

to be prima facie evidence of facts stated therein;

to convey what.

Owner may stop proceedings before sale by, &c.;

may redeem within one year after sale, by, &c.

Collector may seize and sell lands in another district.

Records of sales to be kept; to state what;

to be delivered to successor.
Copies to be evidence.

Entry to be made when land is redeemed.
If property seized and sold is not sufficient to pay tax, other property may be from time to time seized and sold.

The word "county," how construed in this act.

Section 34.
Collectors to be charged with whole amount of taxes in lists, &c.;

to be credited with what.

If collector dies, &c., lists, &c. to be transferred to his successor.

or deputy collector may, for the collection of taxes imposed upon any person or for which any person may be liable, and committed to him for collection, seize and sell the lands of such person situated in any other collection district within the State in which said officer resides; and his proceedings in relation thereto shall have the same effect as if the same were had in his proper collection district. And it shall be the duty of every collector to keep a record of all sales of land made in his collection district, whether by himself or his deputies, or by another collector, in which shall be set forth the tax for which any such sale was made, the dates of seizure and sale, the name of the party assessed, and all proceedings in making said sale, the amount of fees and expenses, the name of the purchaser, and the date of the deed; which record shall be certified by the officer making the sale. And it shall be the duty of any deputy making sale, as aforesaid, to return a statement of all his proceedings to the collector, and to certify the record thereof. And in case of the death or removal of the collector or the expiration of his term of office from any other cause, said record shall be delivered to his successor in office; and a copy of every such record, certified by the collector, shall be evidence in any court of the truth of the facts therein stated. And when any lands sold, as aforesaid, shall be redeemed as hereinbefore provided, the collector shall make an entry of the fact upon the record aforesaid, and the said entry shall be evidence of such redemption. And when any property, personal or real, seized and sold by virtue of the foregoing provisions, shall not be sufficient to satisfy the claim of the United States for which distraint or seizure may be made against any person whose property may be so seized and sold, the collector may, thereafter, and as often as the same may be necessary, proceed to seize and sell, in like manner, any other property liable to seizure of such person until the amount due from him, together with all expenses, shall be fully paid: *Provided*, That the word "county," wherever the same occurs in this act, or the acts of which this is amendatory, shall be construed to mean also a parish or any other equivalent subdivision of a State or Territory.

That section thirty-four be amended by striking out all after the enacting clause and inserting the following: That each collector shall be charged with the whole amount of taxes, whether contained in lists delivered to him by the assessors, respectively, or delivered or transmitted to him by assistant assessors from time to time, or by other collectors, or by his predecessor in office, and with the additions thereto, with the par value of all stamps deposited with him, and with all moneys collected for passports, penalties, forfeitures, fees, or costs, and he shall be credited with all payments into the treasury made as provided by law, with all stamps returned by him uncanceled to the treasury, and with the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also with the amount of the taxes of such persons as may have absconded, or become insolvent, prior to the day when the tax ought, according to the provisions of law, to have been collected, and with all uncollected taxes transferred by him or by his deputy acting as collector to his successor in office: *Provided*, That it shall be proved to the satisfaction of the commissioner of internal revenue that due diligence was used by the collector, who shall certify the facts to the first comptroller of the treasury. And each collector shall also be credited with the amount of all property purchased by him for the use of the United States, provided he shall faithfully account for and pay over the proceeds thereof upon a resale of the same as required by law. In case of the death, resignation, or removal of the collector, all lists and accounts of taxes uncollected shall be transferred to his successor in office as soon as such successor shall be appointed and qualified, and it shall be the duty of such successor to collect the same.

That section forty-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That it shall be the duty of the collectors aforesaid, or their deputies, in their respective districts, and they are hereby authorized, to collect all the taxes imposed by law, however the same may be designated, and to prosecute for the recovery of any sum or sums which may be forfeited by law; and all fines, penalties, and forfeitures which may be incurred or imposed by law, shall be sued for and recovered, in the name of the United States, in any proper form of action, or by any appropriate form of proceeding, *qui tam* or otherwise, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any other court of competent jurisdiction. And taxes may be sued for and recovered, in the name of the United States, in any proper form of action before any circuit or district court of the United States for the district within which the liability to such tax may have been or shall be incurred, or where the party from whom such tax is due may reside at the time of the commencement of said action. But no such suit shall be commenced unless the commissioner of internal revenue shall authorize or sanction the proceedings: *Provided*, That in case of any suit for penalties or forfeitures brought upon information received from any person, other than a collector, deputy collector, assessor, assistant assessor, revenue agent, or inspector of internal revenue, the United States shall not be subject to any costs of suit, nor shall the fees of any attorney or counsel employed by any such officer be allowed in the settlement of his account, unless the employment of such attorney or counsel shall be authorized by the commissioner of internal revenue, either expressly or by general regulations.

That section forty-four be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the commissioner of internal revenue, subject to regulations prescribed by the Secretary of the Treasury, shall be, and is hereby, authorized, on appeal to him made, to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that shall appear to be unjustly assessed or excessive in amount or in any manner wrongfully collected, and also repay to collectors or deputy collectors the full amount of such sums of money as shall or may be recovered against them, or any of them, in any court, for any internal taxes or licenses collected by them, with the costs and expenses of suit, and all damages and costs recovered against assessors, assistant assessors, collectors, deputy collectors, and inspectors, in any suit which shall be brought against them, or any of them, by reason of anything that shall or may be done in the due performance of their official duties; and all judgments and moneys recovered or received for taxes, costs, forfeitures, and penalties, shall be paid to the collector as internal taxes are required to be paid: *Provided*, That where a second assessment may have been made in case of a list, statement, or return which in the opinion of the assessor or assistant assessor was false or fraudulent, or contained any understatement or undervaluation, such assessment shall not be remitted, nor shall taxes collected under such assessment be recovered, refunded, or paid back, unless it is proved that said list, statement, or return was not false or fraudulent, and did not contain any understatement or undervaluation.

That section forty-eight be amended by striking out all after the enacting clause and inserting the following: That all goods, wares, merchandise, articles, or objects, on which taxes are imposed by the provisions of law, which shall be found in the possession, or custody, or within the control of any person or persons, for the purpose of being sold or removed by such person or persons in fraud of the internal revenue laws, or with design to avoid payment of said taxes, may be seized by the col-

Section 41.
Collectors, &c.
to collect all
taxes and prose-
cute for forfeit-
ures and penal-
ties.

Taxes, forfeit-
ures, and penal-
ties how sued for
and recovered.

Suit not to be
commenced
without authori-
ty of commis-
sioner.

United States
not to be subject
to costs or attor-
ney's fees, un-
less, &c.

Section 44.
Taxes, &c.,
wrongly assess-
ed, &c., may be
refunded.

Collectors to be
repaid amounts
of judgments
paid by them
and damages
and costs recov-
ered against
them.

Judgments, &c.
for taxes, &c. to
be paid to collec-
tors.

In cases of sec-
ond assessment,
taxes not to be
refunded, unless,
&c.

Section 48.
Property tax-
able, held to be
sold, &c. in fraud
of revenue laws,
may be seized by
collector, and is
forfeited.

lector or deputy collector of the proper district, or by such other collector or deputy collector as may be specially authorized by the commissioner of internal revenue for that purpose, and the same shall be forfeited to the United States; and also all raw materials found in the possession of any person or persons intending to manufacture the same into articles of a kind subject to tax for the purpose of fraudulent[ly] selling such manufactured articles, or with design to evade the payment of said tax; and also all tools, implements, instruments, and personal property whatsoever, in the place or building or within any yard or enclosure where such articles or such raw materials shall be found, may also be seized by any collector or deputy collector, as aforesaid, and the same shall be forfeited as aforesaid; and the proceedings to enforce said forfeiture shall be in the nature of a proceeding in rem in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction. And any person who shall have in his custody or possession any such goods, wares, merchandise, articles, or objects, subject to tax as aforesaid, for the purpose of selling the same with the design of avoiding payment of the taxes imposed thereon, shall be liable to a penalty of five hundred dollars, or not less than double the amount of taxes fraudulently attempted to be evaded, to be recovered in any court of competent jurisdiction; and the goods, wares, merchandise, articles, or objects, which shall be so seized by any collector or deputy collector, may, at the option of the collector, be delivered to the marshal of said district, and remain in the care and custody of said marshal, and under his control until he shall obtain possession by process of law, and the cost of seizure made before process issues shall be taxable by the court: *Provided*, That when the property so seized may be liable to perish or become greatly reduced in price or value by keeping, or when it cannot be kept without great expense, the owner thereof, the collector, or the marshal of the district, may apply to the assessor of the district to examine said property; and if, in the opinion of said assessor, it shall be necessary that the said property should be sold to prevent such waste or expense, he shall appraise the same; and the owner thereupon shall have said property returned to him upon giving bond in such form as may be prescribed by the commissioner of internal revenue, and in an amount equal to the appraised value, with such sureties as the said assessor shall deem good and sufficient, to abide the final order, decree or judgment of the court having cognizance of the case, and to pay the amount of said appraised value to the collector, marshal, or otherwise, as he may be ordered and directed by the court, which bond shall be filed by said assessor with the United States district-attorney for the district in which said proceedings in rem may be commenced: *Provided further*, That in case said bond shall have been executed and the property returned before seizure thereof, by virtue of the process aforesaid, the marshal shall give notice of the pendency of proceedings in court to the parties executing said bond, by personal service or publication, and in manner and form as the court may direct, and the court shall thereupon have jurisdiction of said matter and parties in the same manner as if such property had been seized by virtue of the process aforesaid. But if said owner shall neglect or refuse to give said bond, the assessor shall issue to the collector or marshal aforesaid an order to sell the same; and the said collector or marshal shall thereupon advertise and sell the said property at public auction in the same manner as goods may be sold on final execution in said district; and the proceeds of the sale, after deducting the reasonable costs of the seizure and sale, shall be paid to the court aforesaid, to abide its final order, decree, or judgment.

That sections fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, and seventy, be, and the same are hereby, repealed,

Sections 53-57, 59, and 62-70 repealed on Sept. 1, 1866.

Raw materials, tools, &c. for manufacture, in fraud of the law, may be seized, &c.

Proceedings to enforce forfeiture.

Penalty for possessing taxable property with intent to sell in fraud of the law, &c.

Goods to be seized, &c.

Perishable property to be appraised;

may be restored to owner, he giving bond.

Bond to be filed.

Notice of proceedings in court when and how to be given to obligors of bond.

If owner does not give bond, property may be sold, &c.

Proceeds of sale.

to take effect on the first day of September, eighteen hundred and sixty-six.

That section seventy-one be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That no person, firm, company, or corporation shall be engaged in, prosecute, or carry on any trade, business, or profession, hereinafter mentioned and described, until he or they shall have paid a special tax therefor in the manner hereinafter provided.

Section 71.

No person, &c. to do business until special tax is paid.

That section seventy-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That every person, firm, company, or corporation engaged in any trade, business, or profession, on which a special tax is imposed by law, shall register with the assistant assessor of the assessment district, first, his or their name or style, and in case of a firm or company, the names of the several persons constituting such firm or company, and their places of residence; second, the trade, business, or profession, and the place where such trade, business, or profession is to be carried on; third, if a rectifier, the number of barrels he designs to rectify; if a pedler, whether he designs to travel on foot, or with one, two, or more horses or mules; if an innkeeper, the yearly rental value of the house and property to be occupied for said purpose. All of which facts shall be returned duly certified by such assistant assessor, to both the assessor and collector of the district; and the special tax shall be paid to the collector or deputy collector of the district as hereinafter provided for such trade, business, or profession, who shall give a receipt therefor.

Section 72.

Persons, &c. doing a business, specially taxed, to register names, &c. with assistant assessors.

Register to state what.

Returns to be made to assessors and collectors.

Special tax to be paid to collector, &c., and receipt given therefor.

Section 73.

Penalty for exercising any trade, &c. without payment of tax.

Fine how distributed.

That section seventy-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any one who shall exercise or carry on any trade, business, or profession, or do any act hereinafter mentioned, for the exercising, carrying on, or doing of which a special tax is imposed by law, without payment thereof as in that behalf required, shall, for every such offence, besides being liable to the payment of the tax, be subject to imprisonment for a term not exceeding two years, or a fine not exceeding five hundred dollars, or both, and such fine shall be distributed between the United States and the informer, if there be any, as provided by law.

That section seventy-four be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the receipt for the payment of any special tax shall contain and set forth the purpose, trade, business, or profession for which such tax is paid, and the name and place of abode of the person or persons paying the same; if by a rectifier, the quantity of spirits intended to be rectified; if by a pedler, whether for travelling on foot or with one, or two, or more horses or mules, the time for which payment is made, the date or time of payment, and (except in case of auctioneers, produce brokers, commercial brokers, patent-right dealers, photographers, builders, insurance agents, insurance brokers, and pedlers) the place at which the trade, business, or profession for which the tax is paid shall be carried on: *Provided*, That the payment of the special tax herein imposed shall not exempt from an additional special tax the person or persons, (except lawyers, physicians, surgeons, dentists, cattle brokers, horse dealers, pedlers, produce brokers, commercial brokers, patent-right dealers, photographers, builders, insurance agents, insurance brokers, and auctioneers,) or firm, company, or corporation doing business in any other place than that stated; but nothing herein contained shall require a special tax for the storage of goods, wares, or merchandise in other places than the place of business, nor for the sale by manufacturers or producers of their own goods, wares, and merchandise, at the place of production or manufacture, and at their principal office or place of business, provided no goods, wares, or merchandise shall be kept except as samples, at said office or place of business. And every person exercising

Section 74.

Receipt for payment of special tax to state what.

Payment of special tax not to exempt from additional tax for doing business in another place, except for, &c.

No special tax for storage of goods, &c., if no goods, &c. are there kept except as samples.

Persons carrying on business, &c. taxable, to exhibit receipt therefor to revenue officer on demand.

If pedler refuses to exhibit receipt, property may be seized.

Proceedings thereon.

Special taxes when due.

Proportional part of tax.

Section 75.

If person who has paid special tax dies, his executors, &c. may carry on the business.

In case of removal.

Cases of death, removal, &c. to be registered.

Section 76.

If a person carries on more than one pursuit in same place at same time, tax to be paid for each.

In towns of less than 6000 persons one tax may cover what.

Section 77.

Auctioneers not to sell goods at private sale, nor employ other persons, except, &c.

or carrying on any trade, business, or profession, or doing any act for which a special tax is imposed, shall, on demand of any officer of internal revenue, produce and exhibit the receipt for payment of the tax, and unless he shall do so may be taken and deemed not to have paid such tax. And in case any pedler shall refuse to exhibit his or her receipt, as aforesaid, when demanded by any officer of internal revenue, said officer may seize the horse or mule, wagon, and contents, or pack, bundle, or basket of any person so refusing, and the assessor of the district in which the seizure has occurred may, on ten days' notice, published in any newspaper in the district, or served personally on the pedler, or at his dwelling-house, require such pedler to show cause, if any he has, why the horses or mules, wagon, and contents, pack, bundle, or basket so seized shall not be forfeited; and in case no sufficient cause is shown, the assessor may direct a forfeiture, and issue an order to the collector or to any deputy collector of the district for the sale of the property so forfeited; and the same, after payment of the expenses of the proceedings, shall be paid to the collector for the use of the United States. And all such special taxes shall become due on the first day of May in each year, or on commencing any trade, business, or profession upon which such tax is by law imposed. In the former case the tax shall be reckoned for one year, and in the latter case, proportionately for that part of the year from the first day of the month in which the liability to a special tax commenced, to the first day of May following.

That section seventy-five be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That upon the death of any person having paid the special tax for any trade, business or profession, it may and shall be lawful for the executors or administrators, or the wife or child, or the legal representatives of such deceased person to occupy the house or premises, and in like manner to exercise or carry on, for the residue of the term for which the tax shall have been paid, the same trade, business, or profession, as the deceased before exercised or carried on, in or upon the same houses or premises, without payment of any additional tax. And in case of the removal of any person or persons from the house or premises for which any trade, business, or profession was taxed, it shall be lawful for the person or persons so removing to any other place to carry on the trade, business, or profession specified in the tax receipt at the place to which such person or persons may remove without payment of any additional tax: *Provided*, That all cases of death, change, or removal, as aforesaid, shall be registered with the assistant assessor, and with the collector, together with the name or names of the person or persons making such change or removal, or successor to any person deceased, under regulations to be prescribed by the commissioner of internal revenue.

That section seventy-six be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in every case where more than one of the pursuits, employments, or occupations, herein-after described, shall be pursued or carried on in the same place by the same person at the same time, except as hereinafter provided, the tax shall be paid for each according to the rates severally prescribed: *Provided*, That in cities and towns having a less population than six thousand persons according to the last preceding census, one special tax shall be held to embrace the business of land-warrant brokers, claim agents, and real estate agents, upon payment of the highest rate of tax applicable to either one of said pursuits.

That section seventy-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That no auctioneer shall, by virtue of having paid the special tax as an auctioneer, sell any goods or other property at private sale, nor shall he employ any other person to act as auctioneer in his behalf, except in his own store or

warehouse or in his presence ; and any auctioneer who shall sell goods or commodities otherwise than by auction, without having paid the special tax imposed upon such business, shall be subject and liable to the penalty imposed upon persons dealing in or retailing, trading or selling goods or commodities without payment of the special tax for exercising or carrying on such trade or business ; and where goods or commodities are the property of any person or persons taxed to deal in or retail, or trade in or sell the same, it shall and may be lawful for any person exercising or carrying on the trade or business of an auctioneer to sell such goods or commodities for and on behalf of such person or persons in said house or premises.

Penalty.
Auctioneers may sell goods of persons paying special tax, on their premises.

That section seventy-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following : That any number of persons, except lawyers, conveyancers, claim agents, patent agents, physicians, surgeons, dentists, cattle brokers, horse dealers, and pedlers, doing business in copartnership at any one place, shall be required to pay but one special tax for such copartnership.

Section 78.
Who may, and who may not do business in partnership, and pay but one special tax.

That section seventy-nine be amended by striking out all after the enacting clause, and inserting in lieu thereof the following : That a special tax shall be, and hereby is, imposed as follows, that is to say :—

Section 79.
Special tax on

One. Banks chartered or organized under a general law, with a capital not exceeding fifty thousand dollars, and bankers using or employing a capital not exceeding the sum of fifty thousand dollars, shall pay one hundred dollars ; when exceeding fifty thousand dollars, for every additional thousand dollars in excess of fifty thousand dollars, two dollars. Every incorporated or other bank, and every person, firm, or company having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received for discount or for sale, shall be regarded as a bank or as a banker : *Provided*, That any savings bank having no capital stock, and whose business is confined to receiving deposits and loaning or investing the same for the benefit of its depositors, and which does no other business of banking, shall not be subject to this tax.

Banks and bankers.

Definition of.

Savings banks.

Two. Wholesale dealers, whose annual sales do not exceed fifty thousand dollars, shall pay fifty dollars ; and if their annual sales exceed fifty thousand dollars, for every additional thousand dollars in excess of fifty thousand dollars, they shall pay one dollar ; and the amount of all sales within the year beyond fifty thousand dollars shall be returned monthly to the assistant assessor, and the tax on sales in excess of fifty thousand dollars shall be assessed by the assessors, and paid monthly as other monthly taxes are assessed and paid. Every person shall be regarded as a wholesale dealer whose business it is, for himself or on commission, to sell or offer to sell any goods, wares, or merchandise of foreign or domestic production, not including wines, spirits, or malt liquors, whose annual sales exceed twenty-five thousand dollars. And the payment of the special tax as a wholesale dealer shall not exempt any such person acting as a commercial broker from the payment of the special tax imposed upon commercial brokers : *Provided*, That no person paying the special tax as a wholesale dealer in liquors shall be required to pay an additional special tax on account of the sale of other goods, wares or merchandise on the same premises : *And provided further*, That, in estimating the amount of sales for the purposes of this section, any sales made by or through another wholesale dealer on commission shall not be again estimated and included as sold by the party for whom the sale was made.

Wholesale dealers.

Definition of.

Proviso.

Three. Retail dealers shall pay ten dollars. Every person whose business or occupation it is to sell or offer for sale any goods, wares, or

Retail dealers.

Definition of retail dealer. merchandise of foreign or domestic production, not including spirits, wines, ale, beer, or other malt liquors, and whose annual sales exceed one thousand and do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer.

Wholesale dealers in liquors. Four. Wholesale dealers in liquors whose annual sales do not exceed fifty thousand dollars shall pay one hundred dollars, and if exceeding fifty thousand dollars, for every additional one thousand dollars in excess of fifty thousand dollars, they shall pay one dollar, and such excess shall be assessed and paid in the same manner as required of wholesale dealers. Every person who shall sell or offer for sale any distilled spirits, fermented liquors, or wines of any kind in quantities of more than three gallons at one time to the same purchaser, or whose annual sales, including sales of other merchandise, shall exceed twenty-five thousand dollars, shall be regarded as a wholesale dealer in liquors.

Retail dealers in liquors. Definition of. Five. Retail dealers in liquors shall pay twenty-five dollars. Every person who shall sell or offer for sale foreign or domestic spirits, wines, ale, beer, or other malt liquors in quantities of three gallons or less, and whose annual sales, including all sales of other merchandise, do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer in liquors.

Lottery-ticket dealers. Definition of. Six. Lottery ticket dealers shall pay one hundred dollars. Every person, association, firm, or corporation who shall make, sell, or offer to sell lottery tickets or fractional parts thereof, or any token, certificate, or device representing or intending to represent a lottery ticket or any fractional part thereof, or any policy of numbers in any lottery, or shall manage any lottery, or prepare schemes of lotteries, or superintend the drawing of any lottery, shall be deemed a lottery ticket dealer: *Provided*, That the managers of any lottery shall give bond in the sum of one thousand dollars that the person paying such tax shall not sell any tickets or supplementary ticket of such lottery which has not been duly stamped according to law, and that he will pay the tax imposed by law upon the gross receipts of his sales.

Horse dealers; may keep livery stable, &c. Seven. Horse dealers shall pay ten dollars. Any person whose business it is to buy or sell horses or mules shall be regarded a horse dealer: *Provided*, That one special tax having been paid, no additional tax shall be imposed upon any horse dealer for keeping a livery stable, nor upon any livery stable keeper for dealing in horses.

Livery stable keepers. Eight. Livery stable keepers shall pay ten dollars. Any person whose business it is to keep horses for hire, or to let, or to keep, feed, or board horses for others, shall be regarded as a livery stable keeper.

Brokers. Nine. Brokers shall pay fifty dollars. Every person, firm, or company, whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, or other securities, for themselves or others, shall be regarded as a broker: *Provided*, That any person having paid the special tax as a banker shall not be required to pay the special tax as a broker.

Pawnbrokers. Ten. Pawnbrokers using or employing a capital of not exceeding fifty thousand dollars, shall pay fifty dollars; and when using or employing a capital exceeding fifty thousand dollars, for every additional thousand dollars in excess of fifty thousand dollars, shall pay two dollars. Every person whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon, shall be deemed a pawnbroker.

Land-warrant brokers. Eleven. Land-warrant brokers shall pay twenty-five dollars. Any person shall be regarded as a land-warrant broker who makes a business of buying and selling land warrants or of furnishing them to settlers or other persons.

Cattle brokers. Twelve. Cattle brokers, whose annual sales do not exceed ten thou-

sand dollars, shall pay ten dollars; and if exceeding the sum of ten thousand dollars, one dollar for each additional thousand dollars; and such excess shall be assessed and paid in the same manner as required of wholesale dealers. Any person whose business it is to buy or sell or deal in cattle, hogs, or sheep, shall be considered as a cattle broker.

Cattle brokers.

Thirteen. Produce brokers, whose annual sales do not exceed the sum of ten thousand dollars, shall pay ten dollars. Every person other than one having paid the special tax as a commercial broker or cattle broker, or wholesale or retail dealer, or pedler, whose occupation it is to buy or sell agricultural or farm products, and whose annual sales do not exceed ten thousand dollars, shall be regarded as a produce broker.

Produce brokers.

Fourteen. Commercial brokers shall pay twenty dollars. Any person or firm whose business it is, as a broker, to negotiate sales or purchases of goods, wares, or merchandise, or to negotiate freights and other business for the owners of vessels, or for the shippers, or consignors, or consignees of freight carried by vessels, shall be regarded a commercial broker.

Commercial brokers.

Fifteen. Custom-house brokers shall pay ten dollars. Every person whose occupation it is, as the agent of others, to arrange entries and other custom-house papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded a custom-house broker.

Custom-house broker.

Sixteen. Distillers shall pay one hundred dollars. Every person, firm, or corporation, who distils or manufactures spirits, or who brews or makes mash, wort, or wash for distillation or the production of spirits, shall be deemed a distiller: *Provided*, That distillers of apples, grapes, or peaches, distilling or manufacturing fifty and less than one hundred and fifty barrels per year from the same, shall pay fifty dollars; and those distilling or manufacturing less than fifty barrels per year from the same, shall pay twenty dollars: *And provided further*, That no tax shall be imposed for any still, stills, or other apparatus used by druggists and chemists for the recovery of alcohol for pharmaceutical and chemical or scientific purposes which has been used in those processes.

Distillers;

of apples, grapes, or peaches.

No tax on certain stills, &c.

Seventeen. Brewers shall pay one hundred dollars. Every person, firm, or corporation who manufactures fermented liquors of any name or description, for sale, from malt, wholly or in part, or from any substitute therefor, shall be deemed a brewer: *Provided*, That any person, firm, or corporation, who manufactures less than five hundred barrels per year, shall pay the sum of fifty dollars.

Brewers.

Proviso.

Eighteen. Rectifiers who shall rectify any quantity of spirituous liquors, not exceeding five hundred barrels, packages, or casks, containing not more than forty gallons to each barrel, package, or cask, shall pay twenty-five dollars; and twenty-five dollars additional for each additional five hundred such barrels, packages, or casks, or any fractional part thereof. Every person, firm, or corporation, who rectifies, purifies, or refines distilled spirits or wines by any process, or who, by mixing distilled spirits or wine with any materials, manufactures any spurious, imitation, or compound liquors for sale, under the name of whiskey, brandy, gin, rum, wine, "spirits," or "wine bitters," or any other name, shall be regarded as a rectifier.

Rectifiers.

Nineteen. Coal-oil distillers and distillers of burning fluid and camphene shall pay fifty dollars. Any person, firm, or corporation, who shall refine, produce, or distil petroleum, or rock oil; or oil made of coal, asphaltum, shale, peat, or other bituminous substances, or shall manufacture illuminating oil, shall be regarded as a coal-oil distiller.

Coal-oil distillers and distillers of burning fluid and camphenes.

Twenty. Keepers of hotels, inns, or taverns, shall be classified and rated according to the yearly rental, or, if not rented, according to the estimated yearly rental of the house and property intended to be so occupied as follows, to wit: when the rent or valuation of the yearly rental

Keepers of hotels, inns, or taverns.

Keepers of hotels, inns, or taverns;

may furnish food for animals of guests without additional tax;

selling liquors at retail to pay an additional tax.

Yearly rental how established.

Steamers, &c. furnishing food, &c. to passengers, to pay tax.

Penalty for false returns as to rent.

Keepers of eating-houses;

not to pay tax as confectioners;

nor for selling tobacco, &c. on the premises.

Confectioners.

Wholesale and retail dealers not to pay as.

Claim and patent agents.

Patent right dealers.

Real estate agents.

Conveyancers.

Intelligence office keepers.

of said house and property shall be two hundred dollars, or less, they shall pay ten dollars; and if exceeding two hundred dollars, for any additional one hundred dollars or fractional part thereof in excess of two hundred dollars, five dollars: *Provided*, That a payment of such special tax shall be construed to permit the person so keeping a hotel, inn, or tavern, to furnish the necessary food for the animals of such travellers or sojourners without the payment of an additional special tax as a livery stable keeper. Every place where food and lodging are provided for and furnished to travellers and sojourners for pay shall be regarded as a hotel, inn, or tavern: *Provided*, That keepers of hotels, taverns, and eating-houses, in which liquors are sold by retail, to be drank upon the premises, shall pay an additional tax of twenty-five dollars. The yearly rental shall be fixed and established by the assistant assessor of the proper assessment district at its proper value; but if rented, at not less than the actual rent agreed on by the parties. All steamers and vessels, upon waters of the United States, on board of which passengers or travellers are provided with food or lodgings, shall be subject to and required to pay twenty-five dollars: *Provided*, That any person who shall make a false or fraudulent return concerning the actual rent mentioned in this paragraph shall be subject to a penalty therefor of double the amount of the tax.

Twenty-one. Keepers of eating-houses shall pay ten dollars. Every place where food or refreshments of any kind, not including spirits, wines, ale, beer, or other malt liquors, are provided for casual visitors and sold for consumption therein, shall be regarded as an eating-house. But the keeper of an eating-house, having paid the tax therefor, shall not be required to pay a special tax as a confectioner, anything in this [act] to the contrary notwithstanding. And keepers of hotels, inns, taverns, and eating-houses, having paid the special tax therefor, shall not be required to pay additional tax for selling tobacco, snuff, or cigars on the same premises, anything in this act to the contrary notwithstanding.

Twenty-two. Confectioners shall pay ten dollars. Every person who sells at retail confectionery, sweetmeats, comfits, or other confections, in any building, shall be regarded as a confectioner. But wholesale and retail dealers, having paid the special tax therefor, shall not be required to pay the special tax as a confectioner, anything in this act to the contrary notwithstanding.

Twenty-three. Claim agents and agents for procuring patents shall pay ten dollars. Every person whose business it is to prosecute claims in any of the executive departments of the federal government, or procure patents, shall be deemed a claim or patent agent, as the case may be.

Twenty-four. Patent right dealers shall pay ten dollars. Every person whose business it is to sell, or offer for sale, patent-rights, shall be regarded as a patent-right dealer.

Twenty-five. Real estate agents shall pay ten dollars. Every person whose business it is to sell or offer for sale real estate for others, or to rent houses, stores, or other buildings or real estate, or to collect rent for others, except lawyers paying a special tax as such, shall be regarded as a real estate agent.

Twenty-six. Conveyancers shall pay ten dollars. Every person, other than one having paid the special tax as a lawyer or claim agent, whose business it is to draw deeds, bonds, mortgages, wills, writs, or other legal papers, or to examine titles to real estate, shall be regarded as a conveyancer.

Twenty-seven. Intelligence office keepers shall pay ten dollars. Every person whose business it is to find or furnish places of employment for others, or to find or furnish servants upon application in writing or otherwise, receiving compensation therefor, shall be regarded as an intelligence office keeper.

Twenty-eight. Insurance agents shall pay ten dollars. Any person who shall act as agent of any fire, marine, life, mutual, or other insurance company or companies, or any person who shall negotiate or procure insurance for which he receives any commission or other compensation, shall be regarded as an insurance agent: *Provided*, That if the annual receipts of any person as such agent shall not exceed one hundred dollars, he shall pay five dollars only: *And provided further*, That no special tax shall be imposed upon any person for selling tickets or contracts of insurance against injury to persons while travelling by land or water.

Insurance agents.

If annual receipts are not over \$100.

No special tax for selling tickets insuring travellers, &c.

Twenty-nine. Foreign insurance agents shall pay fifty dollars. Every person who shall act as agent of any foreign fire, marine, life, mutual, or other insurance company or companies shall be regarded as a foreign insurance agent.

Foreign insurance agents.

Thirty. Auctioneers, whose annual sales do not exceed ten thousand dollars shall pay ten dollars, and if exceeding ten thousand dollars shall pay twenty dollars. Every person shall be deemed an auctioneer whose business it is to offer property at public sale to the highest or best bidder: *Provided*, That the provisions of this paragraph shall not apply to judicial or executive officers making auction sales by virtue of any judgment or decree of any court, nor public sales made by or for executors, administrators, or guardians of any estate held by them as such.

Auctioneers.

Certain persons making certain auction sales not to pay tax.

Thirty-one. Manufacturers shall pay ten dollars. Any person, firm, or corporation who shall manufacture by hand or machinery any goods, wares, or merchandise, not otherwise provided for, exceeding annually the sum of one thousand dollars, or who shall be engaged in the manufacture or preparation for sale of any articles or compounds, or shall put up for sale in packages with his own name or trade-mark thereon any articles or compound, shall be regarded as a manufacturer.

Manufacturers.

Thirty-two. Pedlers shall be classified and rated as follows, to wit: When travelling with more than two horses, or mules, the first class, and shall pay fifty dollars; when travelling with two horses, or mules, the second class, and shall pay twenty-five dollars; when travelling with one horse, or mule, the third class, and shall pay fifteen dollars; when travelling on foot, or by public conveyance, the fourth class, and shall pay ten dollars. Any person, except persons peddling only charcoal, newspapers, magazines, bibles, religious tracts, or the products of his farm or garden, who sells or offers to sell, at retail, goods, wares, or other commodities, travelling from place to place in the town or through the country, shall be regarded a pedler: *Provided*, That any pedler who sells, or offers to sell, distilled spirits, fermented liquors or wines, dry-goods, foreign or domestic, by one or more original packages or pieces, at one time, to the same person or persons, or who peddles jewelry, shall pay fifty dollars: *Provided further*, That manufacturers and producers of agricultural tools and implements, garden seeds, fruit and ornamental trees, stoves and hollow ware, brooms, wooden ware, charcoal, and gunpowder, delivering and selling at wholesale any of said articles, by themselves or their authorized agents, at places other than the place of manufacture, shall not therefor be required to pay any special tax: *Provided further*, That persons who sell shell or other fish or both, travelling from place to place, and not from any shop or stand, shall be required to pay five dollars only; and no special tax shall be imposed for selling shell or other fish from hand-carts or wheelbarrows.

Pedlers.

Certain venders not to be deemed pedlers.

Pedlers of distilled, &c. spirits, or jewelry, to pay what.

Certain venders of certain articles not to pay tax.

Venders of shell and other fish, and not from hand-carts, &c.

Thirty-three. Apothecaries shall pay ten dollars. Every person who keeps a shop or building where medicines are compounded or prepared according to prescriptions of physicians, or where medicines are sold, shall be regarded as an apothecary. But wholesale and retail dealers, who have paid the special tax therefor, shall not be required to pay a tax as an apothecary; nor shall apothecaries who have paid the special tax be required to pay the tax as retail dealers in liquor in consequence of selling

Apothecaries.

Certain persons when not to pay.

- Apothecaries. alcohol, or of selling or of dispensing, upon physicians' prescriptions, the wines and spirits official in the United States and other national pharmacopœias, in quantities not exceeding half a pint of either at any one time, nor exceeding in aggregate cost value the sum of three hundred dollars per annum.
- Photographers. Thirty-four. Photographers shall pay ten dollars. Any person who makes for sale photographs, ambrotypes, daguerreotypes, or pictures, by the action of light, shall be regarded a photographer.
- Tobacconists. Thirty-five. Tobacconists shall pay ten dollars. Any person, firm or corporation whose business it is to manufacture cigars, snuff, or tobacco in any form, shall be regarded a tobacconist.
- Butchers ;
not to pay tax
as a retail dealer ;
selling from
place to place,
&c. Thirty-six. Butchers shall pay ten dollars. Every person whose business it is to sell butchers' meat at retail shall be regarded as a butcher ; *Provided*, That no butcher having paid the special tax therefor shall be required to pay the special tax as a retail dealer on account of selling other articles at the same store, stall, or premises : *Provided further*, That butchers who sell butchers' meat exclusively by themselves or agents, travelling from place to place, and not from any shop or stand, shall be required to pay five dollars only, any existing law to the contrary notwithstanding.
- Proprietors of
theatres, muse-
ums, and concert
halls. Thirty-seven. Proprietors of theatres, museums, and concert halls, shall pay one hundred dollars. Every edifice used for the purpose of dramatic or operatic or other representations, plays or performances, for admission to which entrance money is received, not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theatre : *Provided*, That when any such edifice is under lease at the passage of this act the tax shall be paid by the lessee, unless otherwise stipulated between the parties to said lease.
- When tax to
be paid by les-
see. Circuses. Thirty-eight. The proprietor or proprietors of circuses shall pay [one] hundred dollars. Every building, tent, space, or area, where feats of horsemanship or acrobatic sports or theatrical performances are exhibited, shall be regarded as a circus : *Provided*, That no special tax paid in one State shall exempt exhibitions from the tax in another State. And but one special tax shall be imposed for exhibitions within any one State.
- Tax to cover
only one State. Jugglers. Thirty-nine. Jugglers shall pay twenty dollars. Every person who performs by sleight of hand shall be regarded as a juggler. The proprietors or agents of all other public exhibitions or shows for money, not enumerated in this section, shall pay ten dollars : *Provided*, That a special tax paid in one State shall not exempt exhibitions from the tax in another State. And but one special tax shall be required for exhibitions within any one State.
- Tax to cover
only one State. Bowling alleys
and billiard
rooms. Forty. Proprietors of bowling alleys and billiard rooms shall pay ten dollars for each alley or table. Every place or building where bowls are thrown or billiards played, and open to the public with or without price, shall be regarded as a bowling alley or billiard room, respectively.
- Gift enter-
prises. Forty-one. Proprietors of gift enterprises shall pay one hundred and fifty dollars. Every person, firm, or corporation who shall sell or offer for sale any real estate or article of merchandise of any description whatsoever, or any ticket of admission to any exhibition or performance, with a promise, express or implied, to give or bestow, or in any manner hold out the promise of gift or bestowal of any article or thing for and in consideration of the purchase by any person of any other article or thing, shall be regarded as a proprietor of a gift enterprise : *Provided*, That no such proprietor, in consequence of being thus taxed, shall be exempt from paying any other tax imposed by law, and the special tax herein required shall be in addition thereto.
- Definition of.
Tax to be in
addition to other
taxes. Stallions and
jacks. Forty-two. Owners of stallions and jacks shall pay ten dollars. Every person who keeps a horse or a jack for the use of mares, requiring or receiving pay therefor, shall be regarded as the owner thereof, and shall

furnish a statement to the assessor or assistant assessor, which shall contain a brief description of the animal, its age, and place or places where used or to be used: *Provided*, That all accounts, notes, or demands for the use of any such horse or jack, the owner or keeper thereof not having paid the tax as aforesaid, shall be void.

Proviso.

Forty-three. Lawyers shall pay ten dollars. Every person who for fee or reward shall prosecute or defend causes in court of record or other judicial tribunal of the United States or of any of the States, or whose business it is to give legal advice in relation to any cause or matter whatever, shall be deemed to be a lawyer.

Lawyers.

Forty-four. Physicians, surgeons, and dentists shall pay ten dollars. Every person (except apothecaries) whose business it is, for fee and reward, to prescribe remedies or perform surgical operations for the cure of any bodily disease or ailment, shall be deemed a physician, surgeon, or dentist.

Physicians, surgeons, dentists.

Forty-five. Architects and civil engineers shall pay ten dollars. Every person whose business it is to plan, design, or superintend the construction of buildings, or ships, or of roads, or bridges, or canals, or railroads, shall be regarded as an architect and civil engineer: *Provided*, That this shall not include a practical carpenter who labors on a building.

Architects and civil engineers.

Practical carpenters not included.

Forty-six. Builders and contractors shall pay ten dollars. Every person whose business it is to construct buildings, or vessels, or bridges, or canals, or railroads, by contract, whose receipts from building contracts exceed two thousand five hundred dollars in any one year, shall be regarded as a builder and contractor.

Builders and contractors.

Forty-seven. Plumbers and gas-fitters shall pay ten dollars. Every person, firm, or corporation, whose business it is to fit, furnish, or sell plumbing materials, gas-pipes, gas-burners, or other gas-fixtures, shall be regarded a plumber and gas-fitter.

Plumbers and gas-fitters.

Forty-eight. Assayers, assaying gold and silver, or either, of a value not exceeding in one year two hundred and fifty thousand dollars, shall pay one hundred dollars, and two hundred dollars when the value exceeds two hundred and fifty thousand dollars and does not exceed five hundred thousand dollars, and five hundred dollars when the value exceeds five hundred thousand dollars. Any person or persons or corporation whose business or occupation it is to separate gold and silver from other metals or mineral substances with which such gold or silver, or both, are alloyed, combined, or united, or to ascertain or determine the quantity of gold or silver in any alloy or combination with other metals, shall be deemed an assayer.

Assayers.

Definition of.

Forty-nine. Miners shall pay ten dollars. Every person, firm, or company, who shall employ others in the business of mining for coal, or for gold, silver, copper, lead, iron, zinc, spelter, or other minerals, not having paid the tax therefor as a manufacturer, and no other, shall be regarded as a miner: *Provided*, That this shall not apply to any miner whose receipts as such shall not exceed, annually, one thousand dollars.

Miners, whose annual receipts as such amount to over \$1000

Fifty. Express carriers and agents shall pay ten dollars. Every person, firm, or company, engaged in the carrying or delivery of money, valuable papers, or any articles for pay, or doing an express business, whose gross receipts therefrom exceed the sum of one thousand dollars per annum, shall be regarded as an express carrier: *Provided*, That but one special tax of ten dollars shall be imposed upon any one person, firm, or company, in respect to all the business to be done by such person, firm, or company, on a continuous route, and the payment of such tax shall cover all business done upon such route by such person, firm, or company, anywhere in the United States; and such tax shall be required only from the principal in such business, and not from any subordinate: *Provided, further*, That draymen and teamsters owning only one dray or team shall not be required to pay such tax.

Express carriers and agents.

Only one tax from a firm;

and from the principal only; Proviso.

Grinders of
coffee and spices.

Proviso.

Section 80.

Special tax not
to be imposed
upon certain
classes, unless
their annual
gross receipts
exceed \$ 1000.

Amount, how
determined.

Proviso.

Section 81.

No special tax
upon certain
vintners ;

apothecaries ;

physicians ;

farmers.

Payment of
tax not to ex-
empt from penal-
ty under State
laws for carry-
ing on such
trade, &c., nor
authorize a
trade, &c. pro-
hibited by State
laws ; nor pre-
vent a State from
imposing an ad-
ditional tax.

Section 86.

Manufacturers
to render an ac-
count of full
amount of actual
sales ;

to state quanti-
ty consumed and
what used for an-
other manufac-
ture ;

market value ;

shipped or con-
signed

Fifty-one. Grinders of coffee or spices shall pay one hundred dollars. Any person who manufactures or prepares for use and sale, by grinding or other process, coffee, spices, or mustard, or adulterated coffee, spices, or mustard, or any article or compound intended for use in the adulteration of or as substitutes for coffee, spices, or mustard, shall be regarded as a grinder of coffee or spices : *Provided*, That any person who shall roast coffee for use and sale shall be required to pay the special tax herein imposed upon grinders of coffee or spices.

That section eighty be amended by striking out all after the enacting clause, and inserting in lieu thereof the following : That the special tax shall not be imposed upon apothecaries, confectioners, butchers, keepers of eating houses, hotels, inns, or taverns, or retail dealers, except retail dealers in spirituous and malt liquors, when their annual gross receipts shall not exceed the sum of one thousand dollars, any provision of law to the contrary notwithstanding ; the amount of such annual receipts to be ascertained or estimated in such manner as the commissioner of internal revenue shall prescribe, as well as the amount of all other annual sales or receipts where the tax is graduated by the amount of sales or receipts ; and where the amount of the tax has been increased by law above the amount paid by any person, firm, or company, or has been understated or underestimated, such person, firm, or company shall be again assessed, and pay the amount of such increase : *Provided*, That when any person, before the passage of this act, has been assessed for a license, the amount thus assessed being equal to the tax herein imposed for the business covered by such license, no special tax shall be assessed until the expiration of the period for which such license was assessed.

That section eighty-one be amended by striking out all after the enacting clause, and inserting in lieu thereof the following : That nothing contained in the preceding sections of this act shall be construed to impose a special tax upon vintners who sell wine of their own growth at the place where the same is made ; nor upon apothecaries, as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines ; nor shall physicians be taxed for keeping on hand medicines solely for the purpose of making up their own prescriptions for their own patients ; nor shall farmers be taxed as manufacturers or producers for making butter or cheese, with milk from their own cows, or for any other farm products : *Provided*, That the payment of any tax imposed by law shall not be held or construed to exempt any person carrying on any trade, business, or profession, from any penalty or punishment provided by the laws of any State for carrying on such trade, business or profession within such State, or in any manner to authorize the commencement or continuance of such trade, business, or profession contrary to the laws of such State, or in places prohibited by municipal law ; nor shall the payment of any tax herein provided be held or construed to prohibit or prevent any State from placing a duty or tax for State or other purposes on any trade, business, or profession, upon which a tax is imposed by law.

That section eighty-six be amended by striking out all after the enacting clause, and inserting in lieu thereof the following : That any person, firm, company, or corporation, manufacturing or producing goods, wares, and merchandise, sold or removed for consumption or use, upon which taxes are imposed by law, shall, in their return of the value and quantity, render an account of the full amount of actual sales made by the manufacturer, producer, or agent thereof, and shall state whether any part, and if so, what part, of said goods, wares, and merchandise, has been consumed or used by the owner, owners, or agent, or used for the production of another manufacture or product, together with the market value of the same at the time of such use or consumption ; whether such goods, wares, and merchandise were shipped for a foreign port or consigned to auction or commission merchants, other than agents, for sale ; and shall make a

return according to the value at the place of shipment, when shipped for a foreign port, or according to the value at the place of manufacture or production, when removed for use or consumption, or consigned to others than agents of the manufacturer or producer. The value and quantity of the goods, wares, and merchandise required to be stated as aforesaid shall be estimated by the actual sales made by the manufacturer or by his agent. And where such goods, wares, and merchandise have been removed for consumption or for delivery to others, or placed on shipboard, or are no longer within the custody or control of the manufacturer or his agent, not being in his factory, store, or warehouse, the value shall be estimated at the average of the market value of the like goods, wares, and merchandise at the time when the same became liable to tax.

Return at what value.

Value, &c. to be estimated by actual sales.

How, when goods are not in custody of manufacturers, &c.

That section eighty-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person, firm, company, or corporation who may now be engaged in the manufacture of tobacco, snuff, or cigars, or who shall hereafter commence or engage in such manufacture, before commencing, or, if already commenced, before continuing, such manufacture for which they may be liable to be assessed under the provisions of law, shall, in addition to a compliance with all other provisions of law, furnish to the assessor or assistant assessor a statement, subscribed under oath or affirmation, accurately setting forth the place, and, if in a city, the street and number of the street where the manufacturing is, or is to be, carried on, the name and description of the manufactured article, and, if the same shall be manufactured for or to be sold and delivered to any other person or party, the name and residence and business or occupation of the person or party for whom the said article is to be manufactured or to whom it is to be delivered, and generally the kind and quality manufactured or proposed to be manufactured; and shall give a bond to the United States, with one or more sureties to be approved by the collector of the district, in the sum of three thousand dollars for each cutting machine kept for use; in the sum of one thousand dollars for each screw-press kept for use in making plug or pressed tobacco; in the sum of five thousand dollars for each hydraulic press kept for use; in the sum of one thousand dollars for each snuff mill kept for use; and in the sum of one hundred dollars for each person employed by said person, firm, company, or corporation in making cigars; conditioned that he will comply with all the requirements of law in regard to the manufacture of tobacco, snuff, or cigars; that he will not employ others to manufacture cigars who have not obtained the requisite permit for making cigars; that he will not engage in any attempt, by himself or by collusion with others, to defraud the government of any tax on any manufacture of tobacco, snuff, or cigars; that he will render truly and correctly all the returns, statements, and inventories prescribed for manufacturers of tobacco, snuff, and cigars; that whenever he shall add to the number of cutting machines, presses, snuff mills, or cigar-makers, used or employed by him, he will immediately give notice thereof to the collector who holds the bonds that he will pay to the collector of the district all the taxes which may or should be assessed and due on any tobacco, snuff, or cigars so manufactured, and that he will not knowingly sell, purchase, or receive for sale any such tobacco, snuff, or cigars which have not been inspected, branded, or stamped as required by law, or upon which the tax has not been paid if it has accrued or become payable. And the said bond may be renewed or changed from time to time, in regard to the sureties or amount thereof, according to the discretion of the collector, under the instructions of the commissioner of internal revenue. And every person, firm, company, or corporation aforesaid shall exhibit, whenever demanded by any officer of internal revenue, a certificate from the collector, who is hereby authorized and directed to issue the same, setting forth the kind and number of machines,

Section 87.

Manufacturers of tobacco, snuff, or cigars to make additional statement.

Statement to be under oath, and to contain what.

To give bond and in what sums for different machines or presses, &c.

Conditions of bond.

Bond may be renewed or changed.

Certificate for what bond has been given to be exhibited to revenue officer on demand.

Penalty for manufacturing without giving bond.

Fine and imprisonment.

Section 88.

Assistant assessor to keep a record of persons manufacturing tobacco, snuff, or cigars, &c. open for inspection.

Abstract of monthly returns to be entered therein.

Assessors' record.

Section 89.

Where tobacco, cigars, &c. are made on shares, or material is furnished by one party and manufactured by another, &c.

Penalty for fraud or collusion.

Section 90.

Manufacturer to make an inventory of the tobacco, &c. owned by him on the first of January in each year.

Inventory to state what and how verified.

Accounts to be kept in book form.

Verified abstract of purchases and sales to be furnished the assessor monthly.

presses, snuff mulls, and number of cigar-makers for which the bond has been given. And any person, firm, or corporation manufacturing tobacco, snuff, or cigars of any description without first furnishing the bond in the cases herein required, shall be subject to a fine of three hundred dollars, and in addition thereto, upon conviction thereof, shall be liable to imprisonment for a term not exceeding one year, at the discretion of the court.

That section eighty-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That it shall be the duty of the assistant assessor of each district to keep a record, in a book or books to be provided for the purpose, to be open to the inspection of any person upon reasonable request, of the name of any and every person, firm, company, or corporation who may be engaged in the manufacture of tobacco, snuff, or cigars in his district, together with the place where such manufacture is carried on, and place of residence of the person or persons engaged therein; and the assistant assessor shall enter in said record, under the name of each manufacturer, an abstract of his monthly returns; and each assessor shall keep a similar record for the entire district.

That section eighty-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That in all cases where tobacco, snuff, or cigars, of any description, are manufactured, in whole or in part, upon commission or shares, or where the material from which any such articles are made, or are to be made, is furnished by one party and manufactured by another, or where the material is furnished or sold by one party with an understanding or contract with another that the manufactured article is to be received in payment therefor or any part thereof, the tax imposed by law thereon may be assessed upon the party for whom the same was made, or to whom the same was delivered as aforesaid, or upon the person or party who made the same, as the assessor shall deem best for the collection of the revenue. And in case of fraud on the part of either of said parties in respect to said manufacture, or of any collusion on their part with intent to defraud the revenue, such material and manufactured articles shall be liable to forfeiture; and such articles shall be liable to be assessed the highest rates of tax imposed by law upon any article of like kind.

That section ninety be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any person, firm, company, or corporation, now or hereafter engaged in the manufacture of tobacco, snuff, or cigars, of any description whatsoever, shall be, and hereby is, required to make out and deliver to the assistant assessor of the assessment district a true statement or inventory of the quantity of each of the different kinds of tobacco, snuff-flour, snuff, cigars, tinfoil, licorice, and stems, held or owned by him or them on the first day of January of each year, or at the time of commencing business under this act, setting forth what portion of said goods was manufactured or produced by him or them, and what was purchased from others, whether chewing, smoking, fine-cut shorts, pressed, plug, snuff-flour or prepared snuff, or cigars, which statement or inventory shall be verified by the oath or affirmation of such person or persons, and be in manner and form as prescribed by the commissioner of internal revenue; and every such person, company, or corporation shall keep in book form an accurate account of all the articles aforesaid thereafter purchased by him or them, the quantity of tobacco, snuff, snuff-flour, or cigars, of whatever description, manufactured, sold, consumed, or removed for consumption or sale, or removed from the place of manufacture; and he or they shall, on or before the tenth day of each month, furnish to the assistant assessor of the district a true and accurate abstract of all such purchases and sales, or removals, which abstract shall be verified by oath or affirmation; and in case of refusal or neglect to deliver the inventory, or keep the account, or furnish the abstract aforesaid,

he or they shall forfeit the sum of five hundred dollars, to be recovered with costs of suit. And it shall be the duty of any manufacturer or vendor of tinfoil, or other material used in manufacturing tobacco, snuff, or cigars, on demand of an officer of internal revenue, to render to such officer a correct statement, verified by oath or affirmation, of the quantity and amount of tinfoil or other materials sold or delivered to any person or persons named in such demand; and in case of refusal or neglect to render such statement, or of cause to believe such statement to be incorrect or fraudulent, the assessor of the district may cause an examination of persons, books, and papers to be made in the same manner as provided in the fourteenth section of this act. And all the provisions of law relating to manufacturers generally, so far as applicable and not inconsistent herewith, shall be held to apply to the manufacture of tobacco, snuff, and cigars: *Provided*, That the tax imposed upon the manufacturer of tobacco, snuff, and cigars, shall be held to accrue upon the sale or removal from the place of manufacture, unless removed to a bonded warehouse: *Provided further*, That manufactured tobacco, snuff, or cigars, whether of domestic manufacture or imported, may be transferred, without payment of the tax, to a bonded warehouse established in conformity with law and treasury regulations, under such rules and regulations and upon the execution of such transportation bonds or other security as may be prescribed by the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, said bonds or other security to be taken by the collector of the district from which such removal is made; and may be transported from such a warehouse to any other bonded warehouse established as aforesaid, and may be withdrawn from bonded warehouse for consumption on payment of the tax, or removed for export to a foreign country without payment of tax, in conformity with the provisions of law relating to the removal of distilled spirits, all the rules, regulations, and conditions of which, so far as applicable, shall apply to tobacco, snuff, or cigars in bonded warehouse. And no drawback shall in any case be allowed upon any manufactured tobacco, snuff, or cigars.

That section ninety-one be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That all manufactured tobacco, snuff, or cigars, shall, before the same is used or removed for consumption, be inspected by an inspector appointed under the provisions of law, who shall mark or affix a stamp upon the box or other package containing such tobacco, snuff, or cigars, in a manner to be prescribed by the commissioner of internal revenue, denoting the kind, quantity, or number contained in each package, with the date of inspection and the name of the inspector, and the collection district. The fees of such inspector shall in all cases be paid by the owner of the manufactured tobacco, snuff, or cigars, so inspected. And any person who shall affix upon any box or other package containing such tobacco, snuff, or cigars, any mark or stamp which shall be false or fraudulent in any of the particulars before recited in this section, or shall, with intent to defraud the United States, or to cause the same to be defrauded, change in any manner such stamp or mark, or such box or package so marked or stamped, shall be liable to a fine of not less than fifty dollars, or to imprisonment, not exceeding two years, for every such offence. And all cigars manufactured after the passage of this act shall be packed in boxes or paper packages. And any manufactured tobacco, snuff, and cigars, whether of domestic manufacture or imported, which shall be sold or pass out of the hands of the manufacturer or importer, except into a bonded warehouse, without the inspection marks or stamps affixed, unless otherwise provided, shall be forfeited, and may be seized wherever found, and shall be sold, and the proceeds of such sale shall be distributed between the United States and the informer, if there be any, as provided by law. The commissioner of internal revenue shall keep an account of all

Penalty for neglect, &c. to keep books, &c.

Venders, &c. of tinfoil, &c. to state amount of sales thereof to certain persons.

Proceedings if such statement is not made, or is believed to be fraudulent.

General provisions of law to apply hereto.

When tax on tobacco, &c. accrues.

Transfer of tobacco, &c. may be made to bonded warehouse without payment of tax, upon giving bonds, &c.;

and from one bonded warehouse to another, or for export.

Regulations for removal of distilled spirits to apply to tobacco, &c. so far as applicable.

No drawback.

Section 91.

Tobacco, snuff, and cigars to be inspected.

Package to be marked or stamped, and how.

Fees of inspector.

Penalty for fraudulently making or changing marks.

Cigars to be how packed.

Tobacco, snuff or cigars, passing out of hands of manufacturers, &c. without inspection marks, except, &c., to be forfeited, &c.

Account to be kept of stamps delivered to or used by inspectors.

Inspectors to give bonds.

Section 92.

Penalty for any person, except the manufacturer, to part with the possession of tobacco, &c. on which taxes have not been paid; for receiving tobacco, snuff, or cigars under certain circumstances; for receiving tobacco from a manufacturer who has not paid the tax.

Persons before making cigars to procure a permit.

Charge therefor.

Before making cigars in a district where they do not reside, to have their permit indorsed.

Authority to be indorsed on permit.

Record of permits to be kept, and to state what.

Makers of cigars to keep account and give a copy thereof to assistant assessor each month.

Penalty for making cigars without permit, &c.;

for failing to

stamps delivered to the several inspectors; and said inspectors shall also keep an account of all stamps by them used or placed upon boxes containing cigars, and of all tobacco, snuff, and cigars inspected, and the name of the person, firm, or company for whom the same were so inspected, and shall return to the assessor of the district a separate and distinct account of the same, and also return to the said commissioner, on demand, all stamps not otherwise accounted for, and shall give a bond for a faithful performance of all the duties to which he may be assigned, and to return or account for all stamps which may be placed in his hands.

That section ninety-two be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That if any person other than the manufacturer shall sell, or consign, or remove for sale, or part with the possession of any manufactured tobacco, snuff, or cigars upon which the taxes imposed by law have not been paid, with the knowledge thereof, such person shall be liable to a penalty of one hundred dollars for each offence. And any person who shall purchase or receive for sale any such tobacco, snuff, or cigars, which has not been inspected, branded, or stamped as required by law, or upon which the tax has not been paid, if it has accrued or become payable, with knowledge thereof, shall be liable to a penalty of fifty dollars for each and every offence. And any person who shall purchase or receive for sale any such tobacco, snuff, or cigars, from any manufacturer who has not paid the special tax, shall be liable for each and every offence to a penalty of one hundred dollars, and, in addition thereto, a forfeiture of all the articles, as aforesaid, so purchased or received, or the full value thereof. And every person, before making any cigars after the passage of this act, shall apply for and procure from the assistant assessor of the district in which he resides a permit authorizing such persons to carry on the trade of cigar making, for which permit he shall pay said assistant assessor the sum of twenty-five cents. And every person employed or working at the business of cigar making in any other district than that in which he or she is a resident shall, before making any cigars in such other district, present said permit to the assistant assessor of the district where so employed or working, and procure the indorsement of said assistant assessor thereon, authorizing said business in said district, for which indorsement the assistant assessor shall be entitled to receive from the applicant the sum of ten cents. And it shall be the duty of every assistant assessor, upon application of any person residing in his district, to furnish a permit, or to indorse upon the permit of the applicant, if resident in another district, authority to pursue the trade of cigar making within the proper district of such assistant assessor; and said assistant assessor shall keep a record of all permits granted or indorsed by him, showing the date of each permit, the name, residence, and place of employment of the party named therein, the name and district of the officer who originally granted the same, or who may have made any subsequent indorsements thereon, and the name or names of the party or parties by whom the person named in such permit is employed, or, if working for himself, stating such fact; and every person making cigars shall keep an accurate account in a book of all the cigars made by him, for whom, and their kind or quality; and, if made for any other person, shall state in said account the name of the person for whom the same were made, and his place of business, and shall, on the first Monday of every month, deliver to the assistant assessor of the district a copy of such account, verified by oath or affirmation that the same is true and correct. And if any person shall make any cigars without procuring such permit, or the proper indorsements thereon, or neglect to keep such account in book-form he shall be punished by a fine of five dollars for each day he shall so offend, or by imprisonment for such time as the court may order for each day's offence, not exceeding thirty days in the whole, upon any one conviction. And if any person

making cigars shall fail to make the return herein required, or shall make a false return, he shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding thirty days. And any person may apply to the assistant assessor or inspector of the district to have any cigars of his own manufacture counted; and on receiving a certificate of the number, for which such fee as may be prescribed by the commissioner of internal revenue shall be paid by the owner thereof, may sell and deliver such cigars to any purchaser, in the presence of said assistant assessor or inspector, in bulk or unpacked, without payment of the tax. A copy of the certificate shall be retained by the assistant assessor or by the inspector, who shall return the same to the assessor of the district. The purchaser shall pack such cigars in boxes or paper packages, and have the same inspected and marked or stamped according to the provisions of law, and shall make a return of the same, as inspected, to the assistant assessor of the district wherein the same were manufactured, and, unless removed to a bonded warehouse, shall pay the taxes on such cigars within fifteen days after purchasing them, to the collector of the district wherein they were manufactured, and before the same have been removed from the store or building of such purchaser, or from his possession; and if such purchaser shall neglect for more than fifteen days to pack and have such cigars duly inspected, and to pay the taxes thereon according to law, he shall be fined not exceeding five hundred dollars, and be imprisoned not exceeding six months, at the discretion of the court, and the cigars may be seized by the collector and shall be forfeited to the United States. And if any person, firm, company, or corporation shall employ or procure any person to make any cigars, who has not the permit or the indorsement thereon required by this act, he shall be punished by a fine of ten dollars for each day he shall so employ such person, or by imprisonment not exceeding ten days. And if any person shall be found making cigars without such permit, or the indorsement thereon, the collector of the district may seize any cigars, or tobacco for making cigars, which may be found in possession of such person, and the same shall be forfeited to the United States and sold; and the proceeds of such sale shall be distributed between the United States and the informer, if there be any, as provided by law.

That section ninety-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That all goods, wares, and merchandise, or articles manufactured, made, or produced (except refined petroleum, refined coal oil, cotton, gold and silver, spirituous and malt liquors, manufactured tobacco, snuff, and cigars) by any person or firm, where the product shall not exceed the rate of one thousand dollars per annum, and shall be made or produced by the labor of such person or firm, or by his or their family, shall be and are hereby exempt from tax; where the product shall exceed such rate, and not exceed the rate of three thousand dollars, the tax shall be levied, assessed, and collected only upon the excess above the rate of one thousand dollars per annum; and in all other cases the whole annual product, including any business or transaction where one party has been furnished with materials, or any part thereof, and employed by another party to manufacture, make, or finish the goods, wares and merchandise, or articles, paying or promising to pay therefor, and to whom the same are returned when so made and finished, shall be assessed and the tax paid thereon by the producer or manufacturer: *Provided*, That whenever a producer or manufacturer shall use or consume, or shall remove for consumption or use, any articles, goods, wares or merchandise, which, if removed for sale, would be liable to taxation, he shall be assessed for the tax upon the articles, goods, wares, or merchandise so used, or so removed for consumption or use; but naphtha, the product of the distillation of petroleum, and other similar bituminous substances, when used or consumed on the premises for fuel or cleaning, shall be exempt from tax.

make returns, or making false ones.

Person having permit, upon request, may have cigars counted, &c. and may deliver them in bulk to purchaser without payment of tax.

Purchaser to do what;

to pay taxes.

Penalty for neglect;

for employing a person without a permit to make cigars;

for making cigars without a permit.

Cigars, &c. to be forfeited.

Proceeds, how distributed.

Manufactures except, &c., where the product does not exceed the rate of \$1000 per annum, to be exempt.

Tax, when the product exceeds such rate, but is not over \$3000; in all other cases;

to be on salable value of articles, &c. when removed for consumption or use.

Naphtha exempt, when, &c.

Section 94.

Taxes on certain manufactures, unless otherwise provided for.

That section ninety-four be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That upon the articles, goods, wares, and merchandise hereinafter mentioned, except where otherwise provided, which shall be produced and sold, or be manufactured or made and sold, or be consumed or used by the manufacturer or producer thereof, or removed for consumption, or use, or for delivery to others than agents of the manufacturer or producer within the United States or Territories thereof, there shall be assessed, collected, and paid the following taxes, to be paid by the producer or manufacturer thereof, that is to say:

Candles.

On candles, of whatever material made, a tax of five per centum ad valorem.

Illuminating gas.

On gas, illuminating, made of coal wholly or in part, or any other material, when the product shall not be above two hundred thousand cubic feet per month, a tax of ten cents per one thousand cubic feet; when the product shall be above two and not exceeding five hundred thousand cubic feet per month, a tax of fifteen cents per one thousand cubic feet; when the product shall be above five hundred thousand and not exceeding five millions of cubic feet per month, a tax of twenty cents per one thousand cubic feet; when the product shall be above five millions, a tax of twenty-five cents per one thousand cubic feet. And the general average of the monthly product for the year preceding the return required by law shall determine the rate of tax herein imposed. And where any

Rate of tax determined by the average of the monthly product for the year.

Where gas works have not been in operation the preceding year.

Product returned to be what.

gas-works have not been in operation for the next year preceding the return as aforesaid, then the rate shall be determined by the estimated average of the monthly product: *Provided*, That the product required to be returned by law by any gas company shall be understood to be, in addition to the gas consumed by said company or other party, the product charged in the bills actually rendered by the gas company during the month preceding the return; and until the thirtieth day of April, eighteen hundred and sixty-seven, all gas companies whose price is fixed by law are authorized to add the tax herein imposed, to the price per thousand feet on gas sold; and all such companies which have heretofore contracted to furnish gas to municipal corporations are, in like manner and for the same period, authorized to add such tax to such contract price: *Provided further*, That all gas furnished for lighting street lamps or for other purposes, and not measured, and all gas made for and used by any hotel, inn, tavern, and private dwelling-house, shall be subject to tax whatever the amount of product, and may be estimated; and if the returns in any case shall be understated or underestimated, it shall be the duty of the assistant assessor of the district to increase the same as he shall deem just and proper: *And provided further*, That gas companies located within the corporate limits of any city or town, whether in the same district or otherwise, or so located as to compete with each other, shall pay the rate of tax imposed by law upon the company having the largest production: *And provided further*, That coal tar and ammoniacal liquor produced in the manufacture of illuminating gas, and the products of the re-distillation of coal tar, and the products of the manufacture of ammoniacal liquor thus produced, shall be exempt from tax.

Certain gas companies may charge tax to consumers until, &c.

Gas for lighting streets, &c., and that made for and used by hotels, to be subject to tax.

Returns understated may be increased.

Rate of tax when companies compete with each other.

Coal tar, &c. exempt.

Illuminating, lubricating, or other mineral oils, the product of crude petroleum.

What to be deemed refined illuminating oil.

Who to be deemed and taxed as manufacturer of illuminating oil.

On illuminating, lubricating, or other mineral oils, marking not less than thirty-six nor more than fifty-nine degrees Baumé's hydrometer, the product of the distillation, re-distillation, or refining of crude petroleum, twenty cents per gallon; and all such oils between the specific gravity, by Baumé's test, of thirty-six and fifty-nine degrees, inclusive, shall be deemed refined illuminating oil; and any person or persons who, for the purpose of sale or consumption, shall mix any of the heavier paraffine oils with such illuminating oils, or with naphtha, or either one with the other, shall be deemed manufacturers of illuminating oil, and taxed as such; and said oil thus mixed, either with or without further distillation,

shall be subject to a tax of twenty cents per gallon if, after said mixing or distillation, the product marks, by Baumé's hydrometer, between said points of thirty-six and fifty-nine degrees, inclusive.

Tax.

On illuminating, lubricating, or other mineral oils, marking not less than thirty-six nor more than fifty-nine degrees Baumé's hydrometer, the exclusive product of the refining of crude oil produced by a single distillation of coal, shale, asphaltum, peat, or other bituminous substances, not otherwise provided for, ten cents per gallon.

Illuminating, &c. oils, the product of the refining of crude oil.

On oil, naphtha, benzine, benzole, or gasoline, marking more than fifty-nine degrees Baumé's hydrometer, the product of the distillation, re-distillation, or refining of crude petroleum, or of crude oil produced by a single distillation of coal, shale, peat, asphaltum, or other bituminous substances, a tax of ten cents per gallon: *Provided*, That distillers and refiners of illuminating, lubricating, or other mineral oil, naphtha, benzine, benzole, or gasoline, shall be subject to all the provisions of law applicable to distillers of spirits, with regard to special taxes, bonds, returns, assessments, removing to and withdrawing from warehouses, liens, penalties, forfeitures, drawbacks, and all other provisions designed for the purpose of ascertaining the quantity distilled, and securing the payment of taxes, so far as the same may, in the judgment of the commissioner of internal revenue, and under regulations prescribed by him, be deemed necessary for that purpose: *And provided further*, That distillers and refiners of coal or mineral oil, whose product shall not exceed twenty-five barrels per day, on a monthly average, shall not be required to make returns oftener than once in thirty days.

Oil, naphtha, benzine, benzoline, or gasoline.

Distillers, &c. of mineral oil, &c. to be subject to all laws applicable to distillers of spirits, so far as deemed necessary by the commissioner.

Certain distillers not to make returns oftener than once in thirty days.

On spirits of turpentine, ten cents per gallon.

Spirits of turpentine.

On coffee, roasted or ground, on all ground spices and dry mustard, and upon all articles intended for use as substitutes for or as adulterations of coffee, spices, or mustard, and upon all compounds and mixtures prepared for sale, or intended for use and sale as coffee, spices, or mustard, or as substitutes therefor, one cent per pound: *Provided*, That the exemption of one thousand dollars in annual value of product manufactured shall not apply to any of the above-specified articles mentioned in this paragraph.

Coffee, ground spices, and dry mustard, and all substitutes therefor. Proviso.

On molasses produced from the sugar-cane, and not from sorghum or imphee, a tax of three cents per gallon.

Molasses.

On sirup of molasses or sugar-cane juice, when removed from the plantation, concentrated molasses or melado, and cistern bottoms, of sugar produced from the sugar-cane and not made from sorghum or imphee, a tax of three-fourths of one cent per pound.

Sugar-cane juice.

On sugars not above number twelve Dutch standard in color, produced from the sugar-cane and not from sorghum or imphee, other than those produced by the refiner, a tax of one cent per pound.

Sugars not above number 12;

On sugars above number twelve and not above number eighteen Dutch standard in color, produced directly from the sugar-cane and not from sorghum or imphee, a tax of one and a half cent per pound.

above number 12, and not above number 18;

On sugar above number eighteen Dutch standard in color, produced directly from the sugar-cane and not from sorghum or imphee, a tax of two cents per pound.

above number 18.

On the gross amount of the sales of sugar refiners, including all the products of their manufactories or refineries, a tax of two and one half of one per centum ad valorem: *Provided*, That every person shall be regarded as a sugar refiner, and pay the taxes required by law, whose business it is to advance the quality and value of sugar upon which a tax or duty has been paid, by melting and recrystallization, or by liquoring, clay-ing, or other washing process, or by any other chemical or mechanical means, or who shall by boiling or other process advance the quality or value of molasses, concentrated molasses, or melado, upon which a tax or duty has been paid.

Gross amounts of sales of sugar refiners. Who are sugar refiners.

On sugar candy and all confectionery made wholly or in part of sugar,

Sugar candy

and confection- ery.	valued at not exceeding twenty cents per pound, including the tax, a tax of two cents per pound; exceeding twenty and not exceeding forty cents per pound, including the tax, a tax of four cents per pound; when exceeding forty cents per pound, including the tax, or sold by the box, package, or otherwise than by the pound, a tax of ten per centum ad valorem.
Chocolate and cocoa.	On chocolate and cocoa prepared, a tax of one and a half cent per pound.
Gun cotton.	On gun cotton, a tax of five per centum ad valorem.
Gunpowder and all explosive substances, &c.	On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, not otherwise provided for, when valued at thirty-eight cents per pound or less, including the tax, a tax of five per centum ad valorem; and when valued at above thirty-eight cents per pound, including the tax, a tax of ten cents per pound.
Varnish or japan.	On varnish or japan, made wholly or in part of gum copal, or other gums or substances, a tax of five per centum ad valorem.
Glue and gela- tine.	On glue and gelatine of all descriptions, in the solid state, a tax of one cent per pound.
Glue and ce- ment.	On glue and cement, made wholly or in part of glue, sold in the liquid state, a tax of forty cents per gallon.
Pins.	On pins, solid head or other, a tax of five per centum ad valorem.
Photographs, ambrotypes, &c.	On photographs, ambrotypes, daguerreotypes, or other pictures taken by the action of light, and not hereinafter exempted from tax, a tax of five per centum ad valorem.
Wood screws.	On screws, commonly called wood screws, a tax of ten per centum ad valorem.
Clocks and timepieces.	On clocks and timepieces, and on clock movements, when sold without being cased, a tax of five per centum ad valorem.
Soaps valued at above three cents a pound.	On all soaps valued at above three cents per pound, not perfumed, and on salt-water soap made of cocoa-nut oil, a tax of five mills per pound.
Perfumed soaps.	On all perfumed soaps, a tax of three cents per pound.
Uncompound- ed chemical pro- ductions.	On all uncompound chemical productions not otherwise provided for, a tax of five per centum ad valorem.
Essential oils.	On essential oils of all descriptions, a tax of five per centum ad valorem.
Furniture and other articles of wood.	On all furniture, or other articles made of wood, sold in the rough or unfinished, not otherwise provided for, a tax of five per centum ad valorem: <i>Provided</i> , That all furniture, or other articles made of wood, previously assessed, and a tax paid thereon, shall be assessed a tax of five per centum ad valorem upon the increased value only thereof when sold in a finished condition.
When tax to be only on in- creased value.	
Salt.	On salt, a tax of three cents per one hundred pounds.
Scales, pumps, &c.	On scales, pumps, garden engines, and hydraulic rams, a tax of three per centum ad valorem.
Tin-ware.	On tin ware of all descriptions, not otherwise provided for, a tax of five per centum ad valorem.
Iron, advanced beyond muck- war, &c.	On all iron not otherwise provided for, advanced beyond muck-bar, blooms, slabs, or loops, and not advanced beyond bars, and band, hoop, and sheet iron not thinner than number eighteen wire-gauge, and plate iron not less than one eighth of an inch in thickness, a tax of three dollars per ton: <i>Provided</i> , That a ton shall, for all the purposes of this act, be deemed and taken to be two thousand pounds.
Ton to be 2000 pounds.	
Band, hoop, and sheet iron.	On band, hoop, and sheet iron, thinner than number eighteen wire-gauge, plate iron less than one-eighth of an inch in thickness, and cut nails and spikes, not including nails, tacks, brads, or finishing nails, usually put up and sold in papers, whether in papers or otherwise, a tax of five dollars per ton: <i>Provided</i> , That rods, bands, hoops, sheets, plates, spikes, and nails, not including such as are usually put up in papers as before mentioned, manufactured from iron upon which the tax of three dollars has been levied and paid, shall be subject only to a tax of two dollars per ton in addition thereto, anything in this act to the contrary notwithstanding.
When from iron on which tax has been paid.	

On steel made directly from muck-bar, blooms, slabs, or loops, a tax of three dollars per ton. Steel.

On stoves, and hollow ware in all conditions, whether rough, tinned, or enamelled, and castings of iron, not otherwise provided for, a tax of three dollars per ton. Stoves and hollow ware.

On tubes made of wrought iron, a tax of five dollars per ton. Wrought iron tubes.

On steam, locomotive, and marine engines, including the boilers, and on railroad cars, a tax of five per centum ad valorem: *Provided*, That when the boilers, tubes, wheels, tire[s], axles, bells, shafts, cranks, wrists, or head-lights of such engines or cars shall have been once assessed, and a tax previously paid thereon, the amount so paid shall be deducted from the taxes on the finished engine or cars. Steam, locomotive, and marine engines, and railroad cars. Tax paid on materials to be deducted.

On boilers of all kinds, water tanks, sugar tanks, oil stills, sewing machines, lathes, tools, planes, planing machines, shafting, and gearing, a tax of five per centum ad valorem. Boilers, tanks, stills, tools, machines, &c.

On railings, gates, fences, furniture, and statuary made of iron, a tax of five per centum ad valorem. Iron railings, gates, &c.

On copper and brass tubes, nails, or rivets, sheet lead, and lead pipes and shot, a tax of five per centum ad valorem. Copper, &c. tubes, sheet lead, &c.

On goat, calf, kid, sheep, horse, hog, and dog skins, tanned or dressed in the rough, a tax of five per centum ad valorem. Goat, &c. skins.

On goat, calf, kid, sheep, horse, hog, and dog skins, curried or finished, a tax of five per centum ad valorem: *Provided*, That all goat, calf, kid, sheep, horse, hog, and dog skins upon which duties or taxes have been actually paid, shall be assessed on the increased value only when curried or finished. Tax when to be only on increased value.

On patent enamelled, and japanned leather and skins of every description, a tax of five per centum ad valorem: *Provided*, That when a tax or duty has been paid on the leather in the rough, the tax shall be assessed and paid only on the increased value. Patent, enamelled, and japanned leather. Proviso.

On oil-dressed leather, a tax of five per centum ad valorem. Oil-dressed leather.

On leather of all descriptions, tanned or partially tanned, in the rough, a tax of five per centum ad valorem. Leather.

On leather of all descriptions, curried or finished, a tax of five per centum ad valorem: *Provided*, That all leather in the rough upon which duties or taxes have been actually paid, shall be assessed on the increased value only when curried or finished. Tax when only on increased value.

On all liquors known or denominated as wine, not made from grapes, currants, *rhubard* [rhubarb], or berries, produced by being rectified or mixed with other spirits, or into which any matter whatever may be infused to be sold as wine, or by any other name, and not otherwise provided for in this act, a tax of fifty cents per gallon: *Provided*, That the return, assessment, collection, and the time of collection of the taxes on such wines shall be subject to the regulations of the commissioner of internal revenue. And any person who shall willingly and knowingly sell or offer for sale any such wine made after the passage of this act, upon which the tax herein imposed has not been paid, or which has been fraudulently evaded, shall, upon conviction thereof, be subject to a fine of five hundred dollars or to imprisonment not exceeding two years at the discretion of the court. Wine not made from grapes, &c. Returns, collections, &c. Penalty for knowingly selling, &c. such wine, when tax has not been paid.

On cloth and all textile or knitted or felted articles or fabrics of cotton, wool, or other materials, before the same has been dyed, printed, or bleached, and on all cloth painted, enamelled, shirred, tarred, varnished, or oiled, a tax of five per centum ad valorem. Cloth and textile, knitted or felted fabrics.

On thread and twine, a tax of five per centum ad valorem. Thread and twine.

On articles of clothing manufactured or produced for sale by weaving, knitting, or felting; on silk hats, bonnets, and hoop-skirts; on articles manufactured or produced for sale as constituent parts of clothing, or for trimming or ornamenting the same, and on articles of wearing apparel. Clothing, hats, bonnets, hoop-skirts. Parts of clothing.

India rubber, fur, &c.	manufactured or produced for sale from India-rubber, gutta-percha, or from fur, or fur skins dressed with the fur on, a tax of five per centum ad valorem: <i>Provided</i> , That on all articles made of fur, the value of which shall not exceed twenty dollars, a tax of two per centum only shall be paid.
Proviso.	
Boots, shoes, and shoe-strings.	On boots, shoes, and shoe-strings, a tax of two per centum ad valorem; to be paid by every person making, manufacturing, or producing for sale boots or shoes, or furnishing the materials or any part thereof, and employing others to make, manufacture, or produce them: <i>Provided</i> , That any boot or shoemaker making boots or shoes to order as custom work only, and not for general sale, and whose work, exclusive of the materials, does not exceed annually in value one thousand dollars, shall be exempt from this tax.
What boot, &c. makers to be exempt.	
Clothing, gloves, caps, felt hats, &c.	On clothing, gloves, mittens, moccasins, caps, felt hats, and other articles of dress for the wear of men, women, and children, not otherwise assessed and taxed, a tax of two per centum ad valorem, to be paid by every person making, manufacturing, or producing for sale clothing, gloves, mittens, moccasins, caps, felt hats, and other articles of dress, or furnishing the materials or any part thereof, and employing others to make, manufacture or produce them: <i>Provided</i> , That any tailor, or any maker of gloves, mittens, moccasins, caps, felt hats, or other articles of dress to order as custom work only, and not for general sale, and whose work, exclusive of the materials, does not exceed annually in value one thousand dollars, shall be exempt from this tax; and articles of dress made or trimmed by milliners or dressmakers for the wear of women and children shall also be exempt from this tax: <i>Provided</i> , That the branching into sprays, branches, or wreaths of artificial flowers, on which an impost or internal tax has already been paid, shall not be considered a manufacture within the meaning of this act.
Certain custom work not to be taxed.	
Certain work not to be deemed a manufacture.	
Paper.	On paper not otherwise herein provided for, a tax of three per centum ad valorem.
Manufactures of cotton, wool, silk &c., not otherwise provided for.	On all manufactures not otherwise provided for, of cotton, wool, silk, worsted, hemp, jute, india-rubber, gutta-percha, wood, glass, pottery-ware, leather, paper, iron, steel, lead, tin, copper, zinc, brass, gold, silver, horn, ivory, bone, bristles, wholly or in part, or of other materials, a tax of five per centum ad valorem: <i>Provided</i> , That on all cloths or articles dyed, printed, or bleached, on which a tax or duty shall have been paid before the same were so dyed, printed, or bleached, the said tax of five per centum shall be assessed only upon the increased value thereof: <i>And provided further</i> , That any cloth or fabrics or articles as aforesaid, when made of thread, yarn, or warps, imported, or upon which an internal tax shall have been assessed and paid, shall be assessed and pay a tax on the increased value only thereof; and when made wholly by the same manufacturer, shall be subject to a tax only of five per centum ad valorem: <i>And provided further</i> , That brown earthen and common or gray stoneware shall be subject to a tax of two and one half per cent ad valorem, and no more.
When tax to be only on increased value.	
Brown earthen and common stone ware.	
Diamonds, jewelry, &c.	On all diamonds, emeralds, precious stones and imitations thereof, and all other jewelry, a tax of five per centum ad valorem: <i>Provided</i> , That when diamonds, emeralds, precious stones or imitations thereof, imported from foreign countries, and upon which import duties have been paid, shall be set or reset in gold or any other material, the tax shall be assessed and paid only upon the value of the settings.
When imported, &c. and reset, tax to be only on value of settings.	
Bullion.	On bullion in lump, ingot, bar, or otherwise, a tax of one half of one per centum ad valorem, to be paid by the assayer of the same, who shall stamp the product of the assay as the commissioner of internal revenue, under the direction of the Secretary of the Treasury, may prescribe by general regulations. And all sales, transfers, exchanges, transportation, and exportation of gold or silver assayed at any mint of the United States, or by any private assayer, unless stamped as prescribed by general regula-
Product of assay to be stamped.	
Sales, transfers, &c. of gold or silver assayed,	

tions, as aforesaid, are hereby declared unlawful; and every person or corporation who shall sell, transfer, transport, exchange, export, or deal in the same, shall be subject to a penalty of one thousand dollars for each offence, and to a fine not exceeding that sum, and to imprisonment for a term not exceeding two years nor less than six months. No jeweler, worker or artificer in gold or silver shall use either of those metals except it shall have first been stamped as aforesaid, as required by this act. No person or corporation shall export or cause to be exported from the United States any gold or silver in its natural state, not coined, assayed, or stamped, as aforesaid; and for every violation of this paragraph every offender shall be subject to the penalties herein provided: *Provided*, That nothing herein contained shall apply to the reworking of old gold or silver in lump, ingot, or bar, as aforesaid.

unlawful, unless stamped.

Penalty for such sale, &c.

Gold and silver, unless stamped, not to be used or exported.

Penalty.

Proviso.

On snuff, manufactured of tobacco or any substitute for tobacco, ground, dry, or damp, pickled, scented, or otherwise, of all descriptions, when prepared for use, a tax of forty cents per pound.

Snuff.

On cavendish, plug, twist, and all other kinds of manufactured tobacco, not herein otherwise provided for, a tax of forty cents per pound.

Manufactured tobacco.

On tobacco twisted by hand, or reduced from leaf into a condition to be consumed without the use of any machine or instrument, and without being pressed, sweetened, or otherwise prepared, and on fine-cut shorts, a tax of thirty cents per pound.

Tobacco twisted by hand, &c.

On fine-cut chewing tobacco, whether manufactured with the stems in or not, or however sold, whether loose, in bulk, or in rolls, packages, papers, wrappers, or boxes, a tax of forty cents per pound.

Fine-cut chewing tobacco, &c.

On smoking tobacco, sweetened, stemmed, or butted, a tax of forty cents per pound.

Smoking tobacco.

On smoking tobacco of all kinds, not sweetened, nor stemmed, nor butted, including that made of stems, or in part of stems, and imitations thereof, a tax of fifteen cents per pound.

On cigarettes, or small cigars, made of tobacco enclosed in a wrapper, or binder, and not over three and a half inches in length, and on cigars made with twisted heads, and on cheroots, and on cigars known as short-sixes, the market value of which is not over eight dollars per thousand, a tax of two dollars per thousand.

Cigarettes.

Cheroots, &c., the market value of which is not over \$8 per 1000;

On all cheroots, cigarettes, and cigars, the market value of which is over eight dollars and not over twelve dollars per thousand, a tax of four dollars per thousand.

over \$8, and not over \$12;

On all cheroots, cigarettes, and cigars, the market value of which is over twelve dollars per thousand, a tax of four dollars per thousand, and in addition thereto twenty per centum ad valorem on the market value thereof. And the commissioner of internal revenue, with the approval of the Secretary of the Treasury, may prescribe such regulations for the inspection and valuation of cigars, cheroots, and cigarettes, and the collection of the tax thereon, as shall, in his judgment, be most effective for the prevention of inequalities and frauds in the payment of such tax. And, in addition to other regulations, it shall be the duty of the inspector or assessor who appraises any cigars, cigarettes, or cheroots to examine the manufacturer thereof or his agent under oath, which oath shall be administered by the inspecting and appraising officer, and reduced to writing, and signed by such manufacturer or his agent, with a view to ascertaining whether such manufacturer has any interest, direct or indirect, in any sale that has been made, or any resale to be made of said cigars, cigarettes, or cheroots, by the concealment of which he seeks to obtain a false, fraudulent, or deceptive appraisement.

over \$12.

Commissioner to make rules for the inspection, &c. of cigars, cheroots, &c.

Manufacturer, &c. to be examined upon oath, and with what view.

That section ninety-eight be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That there shall be levied and collected and paid monthly on all sales of real estate, goods, wares, merchandise, articles, or things at auction, including all sales of

Section 98.

Auction sales.

No tax on certain auction sales.

stocks, bonds, and other securities, a duty of one tenth of one per centum on the gross amount of such sales: *Provided*, That no tax shall be levied under the provisions of this section upon any sales by or for judicial or executive officers making auction sales by virtue of a judgment or decree of any court, nor to public sales made by guardians, executors, or administrators.

Section 99.

Sales and contracts for sale by brokers, banks, or bankers.

Rate of tax.

Rate for sales by those not paying a special tax.

Memorandum of sales, &c. to be given, and proper stamps placed thereon.

Fractional part of \$100 to be accounted \$100.

Memorandum to show what.

Penalty for selling, &c. or delivering, or receiving stocks, &c. without a memorandum;

for delivering or receiving memorandum without stamps;

how to be recovered.

Suit to be brought within one year.

Penalty recovered, how distributed.

Penalty not to be incurred where there was no intent to evade the law.

Law in relation to stamp duties to apply hereto.

Monthly tax on sales by commercial brokers.

Monthly returns to be made to assessor.

That section ninety-nine be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That there shall be paid on all sales made by brokers, banks or bankers, whether made for the benefit of others or on their own account, the following taxes, that is to say: Upon all sales and contracts for the sale of stocks, bonds, gold and silver bullion and coin, promissory notes or other securities, a tax at the rate of one cent for every hundred dollars of the amount of such sales or contracts; and on all sales and contracts for sale negotiated and made by any person, firm or company not paying a special tax as a broker, bank or banker, of any gold or silver bullion, coin, promissory notes, stocks, bonds, or other securities, not his or their own property, there shall be paid a tax at the rate of five cents for every hundred dollars of the amount of such sales or contracts; and on every sale and contract for sale, as aforesaid, there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale or contract, on which there shall be affixed a lawful stamp or stamps in value equal to the amount of tax on such sale, to be determined by the rates of tax before mentioned; and in computing the amount of the stamp tax in any case herein provided for, any fractional part of one hundred dollars of value or amount on which tax is computed shall be accounted at one hundred dollars. And every bill or memorandum of sale, or contract of sale, before mentioned, shall show the date thereof, the name of the seller, the amount of the sale or contract, and the matter or thing to which it refers. And any person or persons liable to pay the tax as herein provided, or any one who acts in the matter as agent or broker for such person or persons, who shall make any such sale or contract, or who shall, in pursuance of any sale or contract, deliver or receive any stocks, bonds, bullion, coin, promissory notes, or other securities, without a bill or memorandum thereof as herein required, or who shall deliver or receive such bill or memorandum without having the proper stamps affixed thereto, shall forfeit and pay to the United States a penalty of five hundred dollars for each and every offence where the tax so evaded, or attempted to be evaded, does not exceed one hundred dollars, and a penalty of one thousand dollars when such tax shall exceed one hundred dollars, which may be recovered with costs in any court of the United States of competent jurisdiction, at any time within one year after the liability to such penalty shall have been incurred; and the penalty recovered shall be awarded and distributed by the court between the United States and the informer, if there be any, as provided by law, who, in the judgment of the court, shall have first given the information of the violation of the law for which recovery is had: *Provided*, That where it shall appear that the omission to affix the proper stamp was not with intent to evade the provisions of this section, said penalty shall not be incurred. And the provisions of law in relation to stamp duties in schedule B of this act shall apply to the stamp taxes herein imposed upon sales and contracts of sales made by brokers, banks or bankers, and others as aforesaid. And there shall be paid monthly on all sales by commercial brokers of any goods, wares, or merchandise, a tax of one twentieth of one per centum upon the amount of such sales; and on or before the tenth day of each month, every commercial broker shall make a list or return to the assistant assessor of the district of the gross amount of such sales as aforesaid for the preceding month, in form and manner as may be prescribed by the commissioner of internal revenue: *Provided*,

That in estimating sales of goods, wares, and merchandise for the purposes of this section, any sales made by or through another broker upon which a tax has been paid shall not be estimated and included as sold by the broker for whom the sale was made.

In estimating sales, those made by or through another broker not to be included.

Section 100.

That section one hundred be amended by striking out all after the enacting clause, including schedule A, and inserting in lieu thereof the following: That there shall be levied, annually, on every carriage, gold watch, and billiard table, and on all gold or silver plate, the tax or sums of money set down in figures against the same, respectively, or otherwise specified and set forth in schedule A, hereto annexed, to be paid by the person or persons owning, possessing, or keeping the same on the first day in May, in each year, and the same shall be and remain a lien thereon until paid.

Annual tax on carriages, gold watches, billiard tables, gold or silver plate.

SCHEDULE A.

Schedule A.

CARRIAGE, phaeton, carryall, rockaway, or other like carriage, and any coach, hackney coach, omnibus, or four-wheeled carriage, the body of which rests upon springs of any description, which may be kept for use, for hire, or for passengers, and which shall not be used exclusively in husbandry or for the transportation of merchandise, valued at exceeding three hundred dollars and not above five hundred dollars each, including harness used therewith, six dollars.....	\$ 6 00	
Carriages of like description, valued above five hundred dollars, each, ten dollars.....	10 00	
ON GOLD WATCHES, composed wholly or in part of gold or gilt, kept for use, valued at one hundred dollars or less, each, one dollar.....	1 00	
On gold watches, composed wholly or in part of gold or gilt, kept for use, valued at above one hundred dollars, each, two dollars.....	2 00	
BILLIARD TABLES, kept for use, each, ten dollars.....	10 00	

Carriages.

Gold watches.

Billiard tables.

Provided, That billiard tables kept for hire, and upon which a special tax has been imposed, shall not be required to pay the tax on billiard tables kept for use, as aforesaid, anything herein contained to the contrary notwithstanding.

On plate, of gold, kept for use, per ounce troy, fifty cents.....	50	
On plate, of silver, kept for use, per ounce troy, five cents.....	05	

Gold plate.

Silver plate.

Provided, That silver spoons or plate of silver used by one family to an amount not exceeding forty ounces troy belonging to any one person, plate belonging to religious societies, and souvenirs and keepsakes actually given and received as such and not kept for use; also, all premiums awarded as a token of merit by any agricultural society, corporation, or association of persons, for any purpose whatever, shall be exempt from tax.

Proviso.
Exemption of certain silver plate, &c.

That sections one hundred and one and one hundred and two be, and the same are hereby, repealed.

Repeal of sections 101, 102.

That section one hundred and three be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That every person, firm, company, or corporation owning or possessing or having the care or management of any railroad, canal, steamboat, ship, barge, canal-boat, or other vessel, or any stage-coach or other vehicle, except hacks or carriages not running on continuous routes, engaged or employed in the business of transporting passengers for hire, or in transporting the mails of the United States upon contracts made prior to August first, eighteen hundred and sixty-six, shall be subject to and pay a tax of two and one half per cent of the gross receipts from passengers and mails of such railroad, canal, steamboat, ship, barge, canal-boat, or other vessel, or such stage-coach or other vehicle: *Provided*, That the tax hereby imposed shall not be assessed upon receipts for the transportation of persons or mails between the United States and any foreign port; but such tax shall be assessed upon the transportation of persons from a port within the United States through a foreign territory to a port within the United States, and shall be assessed upon and collected from persons, firms, companies, or corporations within the United States, receiving hire or pay for

Section 103.

Tax on gross receipts from passengers and mails, by railroads, steamboats, coaches, &c.

Rate of tax.

Tax not to be assessed upon certain receipts for transportation; to be assessed upon other transportation; how assessed and collected.

Repeal of part of section 109.

Tax upon gross receipts of toll-roads, ferries, and bridges.

Rate of tax.

Tax not to be assessed, &c.

where gross receipts for twelve months do not exceed needful repairs.

Tax may be added to rate of fare until April 30, 1867.

Where the addition is only the fraction of a cent.

Tickets to be sold in packages of 20, &c.

No tax where gross receipts do not exceed \$1000 per annum.

Boats, &c. not used for passengers, and not propelled by steam, &c., and used exclusively for carrying coal, &c., to pay an annual special tax.

Rate of tax.

How assessed and collected.

Section 107.

Tax on gross receipts of telegraphic lines.

Rate of tax.

Section 110.

Tax of one twenty-fourth of one per cent on average amount of deposits subject to draft;

upon capital employed in banking;

upon circulation.

such transportation of persons or mails; and so much of section one hundred and nine as requires returns to be made of receipts hereby exempted from tax when derived from transporting property for hire is hereby repealed: *Provided also*, That any person or persons, firms, companies, or corporations owning, possessing, or having the care or management of any toll-road, ferry, or bridge, authorized by law to receive toll for the transit of passengers, beasts, carriages, teams, and freight of any description, over such toll-road, ferry, or bridge, shall be subject to and pay a tax of three per cent of the gross amount of all their receipts of every description; but when the gross receipts of any such bridge or toll-road, for and during any term of twelve consecutive calendar months, shall not exceed the amount necessarily expended during said term to keep such bridge or road in repair, no tax shall be assessed upon such receipts during the month next following any such term: *Provided further*, That all such persons, companies, and corporations shall, until the thirtieth day of April, eighteen hundred and sixty-seven, have the right to add the tax imposed hereby to their rates of fare whenever their liability thereto may commence, any limitations which may exist by law or by agreement with any person or company which may have paid or be liable to pay such fare to the contrary notwithstanding. And whenever the addition to any fare shall amount only to the fraction of one cent, any person, or company, liable to the tax of two and a half per centum, may add to such fare one cent in lieu of such fraction; and such person or company shall keep for sale, at convenient points, tickets in packages of twenty and multiples of twenty, to the price of which only an amount equal to the revenue tax shall be added: *And provided further*, That no tax under the foregoing provisions of this section shall be assessed upon any person, firm, company, or corporation, whose gross receipts do not exceed one thousand dollars per annum: *And provided further*, That all boats, barges, and flats not used for carrying passengers, nor propelled by steam or sails, which are floated or towed by tug-boats or horses, and used exclusively for carrying coal, oil, minerals, or agricultural products to market, shall be required hereafter, in lieu of enrolment fees or tonnage tax, to pay an annual special tax, for each and every such boat of a capacity exceeding twenty-five tons, and not exceeding one hundred tons, five dollars; and when exceeding one hundred tons, as aforesaid, shall be required to pay ten dollars; and said tax shall be assessed and collected as other special taxes provided for in this act.

That section one hundred and seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person, firm, company, or corporation owning or possessing or having the care or management of any telegraphic line by which telegraphic despatches or messages are received or transmitted, shall be subject to and pay a tax of three per centum on the gross amount of all receipts of such person, firm, company, or corporation.

That section one hundred and ten be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That there shall be levied, collected, and paid a tax of one twenty-fourth of one per centum each month upon the average amount of the deposits of money, subject to payment by check or draft, or represented by certificates of deposit or otherwise, whether payable on demand or at some future day, with any person, bank, association, company, or corporation engaged in the business of banking; and a tax of one twenty-fourth of one per centum each month, as aforesaid, upon the capital of any bank, association, company, or corporation, and on the capital employed by any person in the business of banking beyond the average amount invested in United States bonds; and a tax of one twelfth of one per centum each month upon the average amount of circulation issued by any bank, association, corporation, company, or person, including as circulation all certi-

fied checks and all notes and other obligations calculated or intended to circulate or to be used as money, but not including that in the vault of the bank, or redeemed and on deposit for said bank; and an additional tax of one sixth of one per centum, each month, upon the average amount of such circulation, issued as aforesaid, beyond the amount of ninety per centum of the capital of any such bank, association, corporation, company, or person. And a true and accurate return of the amount of circulation, of deposit and of capital, as aforesaid, and of the amount of notes of persons, State banks or State banking associations, paid out by them for the previous month, shall be made and rendered monthly by each of such banks, associations, corporations, companies, or persons to the assessor of the district in which any such bank, association, corporation, or company may be located, or in which such person has his place of business, with a declaration annexed thereto, and the oath or affirmation of such person, or of the president or cashier of such bank, association, corporation, or company, in such form and manner as may be prescribed by the commissioner of internal revenue, that the same contains a true and faithful statement of the amounts subject to tax as aforesaid; and for any refusal or neglect to make or to render return and payment, any such bank, association, corporation, company, or person so in default, shall be subject to and pay a penalty of two hundred dollars, besides the additional penalty and forfeitures in other cases provided by law; and the amount of circulation, deposit, capital, and notes of persons, State banks and banking associations paid out, as aforesaid, in default of the proper return, shall be estimated by the assessor or assistant assessor of the district as aforesaid, upon the best information he can obtain; and every such penalty may be recovered for the use of the United States in any court of competent jurisdiction. And in the case of banks with branches, the tax herein provided for shall be assessed upon the circulation of each branch, severally, and the amount of capital of each branch shall be considered to be the amount allotted to such branch; and so much of an act entitled "An act to provide ways and means for the support of the government," approved March three, eighteen hundred and sixty-three, as imposes any tax on banks, their circulation, capital, or deposits, other than is herein provided, is hereby repealed: *Provided*, That this section shall not apply to associations which are taxed under and by virtue of the act "to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof." And the deposits in associations or companies known as Provident Institutions, Savings Banks, Savings Funds, or Savings Institutions, having no capital stock and doing no other business than receiving deposits to be loaned or invested for the sole benefit of the parties making such deposits, without profit or compensation to the association or company, shall be exempt from tax on so much of their deposits as they have invested in securities of the United States, and on all deposits less than five hundred dollars made in the name of any one person; and the returns required to be made by such Provident Institutions and Savings Banks after July, eighteen hundred and sixty-six, shall be made on the first Monday of January and July of each year, in such form and manner as may be prescribed by the commissioner of internal revenue.

That section one hundred and eleven be amended by inserting after the words "proprietors, managers, or agents of lotteries," the words: "and all lottery ticket dealers."

That section one hundred and fourteen be amended by inserting after the word "periodically," in the first sentence of said section, the words: or otherwise, or publishing any guide, almanac, catalogue, directory, or any other paper or book.

That section one hundred and sixteen be amended by inserting after the words "on the excess over five thousand dollars," the following: and

Circulation to include what.

Additional tax on average circulation above 90 per cent of capital.

Return of circulation, deposits, and capital to be made monthly;

to be under oath or affirmation.

Penalty for refusal or neglect to make returns or payment.

In default of returns amount to be estimated. Penalties, how recovered.

Tax, how assessed upon banks with branches.

Repeal of law, imposing any different tax on banks, &c.

1863, ch. 73. Vol. xii. p. 709.

This section not to apply to national banks.

1864, ch. 106. Vol. xiii. p. 99.

Savings banks to be exempt from tax on deposits invested in United States securities.

Deposits of less than \$500 in the name of any one person exempt.

Returns, when to be made.

Section 111. Lottery ticket dealers.

Section 114.

Section 116. Persons out of the United States

and not citizens, to pay on income from business in the United States.

Section 119.
Income tax when due;

to last until 1870, and no longer.

Ten per cent additional to be paid, if, &c.

Section 120.

Tax on dividends of banks, trust companies, savings institutions, and insurance companies.

Rate of tax.

Same tax on addition to surplus or contingent funds.

Tax to be withheld from all payments on account of such dividends.

Return to be made to assessor and tax, to be paid within what time;

to contain what;
how to be verified;

Penalty for default in making return.

In default of return or payment, assessment and collection how to be made.

Tax on dividends of life insurance companies, when due.

What not to be considered dividends in life insurance companies and savings banks.

Section 122.

Tax on dividends, and interest on bonds

a like tax shall be levied, collected, and paid annually upon the gains, profits, and income of every business, trade, or profession carried on in the United States by persons residing without the United States, not citizens thereof.

That section one hundred and nineteen be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That the taxes on incomes herein imposed shall be levied on the first day of May, and be due and payable on or before the thirtieth day of June, in each year, until and including the year eighteen hundred and seventy, and no longer; and to any sum or sums annually due and unpaid after the thirtieth of June, as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied, in addition thereto, the sum of ten per centum on the amount of duties unpaid, as a penalty, except from the estates of deceased or insolvent persons.

That section one hundred and twenty be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That there shall be levied and collected a tax of five per centum on all dividends in scrip or money thereafter declared due, wherever and whenever the same shall be payable, to stockholders, policy holders, or depositors or parties whatsoever, including non-residents, whether citizens or aliens, as part of the earnings, income, or gains of any bank, trust company, savings institution, and of any fire, marine, life, inland insurance company, either stock or mutual, under whatever name or style known or called, in the United States or Territories, whether specially incorporated or existing under general laws, and on all undistributed sums, or sums made or added during the year to their surplus or contingent funds; and said banks, trust companies, savings institutions, and insurance companies shall pay the said tax, and are hereby authorized to deduct and withhold from all payments made on account of any dividends or sums of money that may be due and payable as aforesaid the said tax of five per centum. And a list or return shall be made and rendered to the assessor or assistant assessor on or before the tenth day of the month following that in which any dividends or sums of money become due or payable as aforesaid; and said list or return shall contain a true and faithful account of the amount of taxes as aforesaid; and there shall be annexed thereto a declaration of the president, cashier, or treasurer of the bank, trust company, savings institution, or insurance company, under oath or affirmation in form and manner as may be prescribed by the commissioner of internal revenue, that the same contains a true and faithful account of the taxes as aforesaid. And for any default in the making or rendering of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company making such default, shall forfeit as a penalty the sum of one thousand dollars; and in case of any default in making or rendering said list or return, or of any default in the payment of the tax as required, or any part thereof, the assessment and collection of the tax and penalty shall be in accordance with the general provisions of law in other cases of neglect and refusal: *Provided*, That the tax upon the dividends of life insurance companies shall not be deemed due until such dividends are payable; nor shall the portion of premiums returned by mutual life insurance companies to their policy holders, nor the annual or semi-annual interest allowed or paid to the depositors in savings banks or savings institutions, be considered as dividends.

That section one hundred and twenty-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any railroad, canal, turnpike, canal navigation, or slack-water company, indebted for any money for which bonds or other evidence of indebtedness have been issued, payable in one or more years after date, upon which interest is stipulated to be paid, or coupons representing the

interest, or any such company that may have declared any dividend in scrip or money due or payable to its stockholders, including non-residents, whether citizens or aliens, as part of the earnings, profits, income, or gains of such company, and all profits of such company carried to the account of any fund, or used for construction, shall be subject to and pay a tax of five per centum on the amount of all such interest, or coupons, dividends, or profits, whenever and wherever the same shall be payable, and to whatsoever party or person the same may be payable, including non-residents, whether citizens or aliens; and said companies are hereby authorized to deduct and withhold from all payments on account of any interest, or coupons, and dividends, due and payable as aforesaid, the tax of five per centum; and the payment of the amount of said tax so deducted from the interest, or coupons, or dividends, and certified by the president or treasurer of said company, shall discharge said company from that amount of the dividend, or interest, or coupon on the bonds or other evidences of their indebtedness so held by any person or party whatever, except where said companies may have contracted otherwise. And a list or return shall be made and rendered to the assessor or assistant assessor on or before the tenth day of the month following that in which said interest, coupons, or dividends become due and payable, and as often as every six months; and said list or return shall contain a true and faithful account of the amount of tax, and there shall be annexed thereto a declaration of the president or treasurer of the company, under oath or affirmation in form and manner as may be prescribed by the commissioner of internal revenue, that the same contains a true and faithful account of said tax. And for any default in making or rendering such list or return, with the declaration annexed, or of the payment of the tax as aforesaid, the company making such default shall forfeit as a penalty the sum of one thousand dollars; and in case of any default in making or rendering said list or return, or of the payment of the tax or any part thereof, as aforesaid, the assessment and collection of the tax and penalty shall be made according to the provisions of law in other cases of neglect or refusal.

That section one hundred and twenty-two be further amended by adding thereto the following proviso: *Provided*, That whenever any of the companies mentioned in this section shall be unable to pay the interest on their indebtedness, and shall in fact fail to pay such interest, *that* in such cases the tax levied by this section shall not be paid to the United States until said company resume the payment of interest on their indebtedness.

That section one hundred and twenty-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That there shall be levied, collected, and paid on all salaries of officers, or payments for services to persons in the civil, military, naval, or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of six hundred dollars per annum, a tax of five per centum on the excess above the said six hundred dollars, and a tax of ten per cent on the excess over five thousand dollars; and it shall be the duty of all paymasters and all disbursing officers, under the government of the United States, or persons in the employ thereof, when making any payment to any officers or persons as aforesaid, or upon settling and adjusting the accounts of such officers or persons, to deduct and withhold the aforesaid tax, and they shall, at the same time, make a certificate stating the name of the officer or person from whom such deduction was made, and the amount thereof, which shall be transmitted to the office of the commissioner of internal revenue, and entered as part of the internal tax; and the pay-roll, receipts, or account of officers or persons paying such tax, as aforesaid, shall be made to exhibit the fact of such payment. And it shall be the duty of the several auditors of the Treasury Department, when auditing the

of railroad, canal, turnpike, canal navigation, and slack-water companies.

Rate of tax.

Companies to withhold tax from all payments.

Payment to discharge companies of all indebtedness.

Return, when to be made to assessor, and tax paid;

to state what, and how verified.

Penalty for default in making return or payment; in such case assessment and collection to be according to general provisions.

When such companies are unable to pay, and fail to pay interest on their debt, tax not to be paid until, &c.

Section 123.

Tax on the incomes of those in the civil, military, or naval service of the United States.

Rate of tax.

Amount to be deducted.

Certificate to be made and sent to office of commissioner.

Pay-roll to show such payment.

Auditors, in

auditing accounts of paymasters, &c. to require proof that taxes have been deducted and paid over.

Payments of prize money to be deemed income from salaries; but not payments to laborers, &c.

Section 124.
Legacy, &c. to minor child, unless over \$1000, to be exempt from tax; if over \$1000, excess only to be taxed.

Section 125.

When tax on legacies, &c. is due.

Executors, &c. to give notice to assessors, &c.

Penalty for neglect, &c.

Tax to be deducted from particular legacy.

Section 137.

Section 138.

Persons having in trust, &c. any disposition of real estate subject to tax, to notify assessor.

Penalty for wilful neglect, &c.

Section 145.

Section 147.

Persons liable to pay tax for succession to give notice to assessor, and render a true account in thirty days.

accounts of any paymaster or disbursing officer, or any officer withholding his salary from moneys received by him, or when settling or adjusting the accounts of any such officer, to require evidence that the taxes mentioned in this section have been deducted and paid over to the commissioner of internal revenue, or other officer authorized to receive the same: *Provided*, That payments of prize money shall be regarded as income from salaries, and the tax thereon shall be adjusted and collected in like manner: *Provided further*, That this section shall not apply to payments made to mechanics or laborers employed upon public works.

That section one hundred and twenty-four be amended by adding thereto the following additional proviso: *Provided further*, That any legacy or share of personal property passing as aforesaid to a minor child of the person who died possessed as aforesaid shall be exempt from taxation under this section, unless such legacy or share shall exceed the sum of one thousand dollars, in which case the excess only above that sum shall be liable to such taxation.

That section one hundred and twenty-five be amended by inserting after the words "that the tax or duty aforesaid," the following: "shall be due and payable whenever the party interested in such legacy or distributive share or property or interest aforesaid shall become entitled to the possession or enjoyment thereof, or to the beneficial interest in the profits accruing therefrom, and the same"; and by inserting after the words "United States," in the first sentence of said section, the words: "And every administrator, executor, or trustee, having in charge or trust any legacy or distributive share, as aforesaid, shall give notice thereof in writing to the assessor or assistant assessor of the district where the deceased grantor or bargainer last resided, within thirty days after he shall have taken charge of such trust;" and by inserting after the words "shall make out such lists and valuation as in other cases of neglect or refusal, and shall assess the duty thereon," the words: "And in case of wilful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding one thousand dollars, to be recovered with costs of suit." Any tax paid under the provisions of sections one hundred and twenty-four and one hundred and twenty-five shall be deducted from the particular legacy or distributive share on account of which the same is charged.

That section one hundred and thirty-seven be amended by inserting after the words "imposed by this act," the words: "shall be assessed in the collection district where the estate is situate, and."

That section one hundred and thirty-eight be amended by adding thereto the words: "And every such person having in charge or trust any disposition of real estate or interest therein, subject to tax under this act, shall give notice thereof in writing to the assessor or assistant assessor of the district where the estate is situate, within thirty days from the time when he shall have taken charge of such trust, and prior to any distribution of said real estate, together with a description and value thereof, and the names of the persons interested therein; and for wilful neglect or refusal so to do, shall be liable to a penalty of not exceeding five hundred dollars, to be recovered with costs of suit."

That section one hundred and forty-five be amended by inserting after the word "years" the words: "from the time when such tax shall have become due and payable."

That section one hundred and forty-seven be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That any person liable to pay a tax in respect to any succession shall give notice to the assessor or assistant assessor of his liability to such tax within thirty days from the time when he shall become entitled in possession to such succession or to the receipt of the income and profits thereof, and shall at the same time deliver to the assessor or assistant assessor

a full and true account of said succession for the tax whereon he shall be accountable, and of the value of the real estate involved, and of the deductions claimed by him, together with the names of the successor and predecessor and their relation to each other, and all such other particulars as shall be necessary or proper for enabling the assessor or assistant assessor fully and correctly to ascertain the taxes due; and the assessor or assistant assessor, if satisfied with such account and estimate as originally delivered, or with any amendments that may be made therein upon his requisition, may assess the succession tax on the footing of such account and estimate; but it shall be lawful for the assessor or assistant assessor, if dissatisfied with such account, or if no account and estimate shall be delivered to him, to assess the tax on the best information he can obtain, subject to appeal as hereinafter provided; and if the tax so assessed shall exceed the tax assessable according to the return made to the assessor or assistant assessor, and with which he shall have been dissatisfied, or if no account and estimate has been delivered, and if no appeal shall be taken against such assessment, then it shall be in the discretion of the assessor, having regard to the merits of each case, to assess the whole or any part of the expenses incident to the taking of such assessment, in addition to such tax; and if there shall be an appeal against such last-mentioned assessment, then the payment of such expenses shall be in the discretion of the commissioner of internal revenue.

Assessor, &c.
may assess tax
on such account,
&c.

If no account
is given, or as-
sessor is dissatis-
fied, tax how as-
sessed.

Appeal.

Expenses.

That section one hundred and forty-eight be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That if any person required to give any such notice or deliver such account, as aforesaid, shall wilfully neglect to do so within the time required by law, he shall be liable to pay the United States a sum equal to ten per centum upon the amount of tax payable by him; and if any person liable to pay any tax in respect of his succession shall, after such tax shall have been finally ascertained, wilfully neglect to do so within ten days after being notified, he shall also be liable to pay to the United States a sum equal to ten per centum upon the amount of tax so unpaid, at the same time and in the same manner as the tax to be collected.

Section 148.

Penalty for
wilful neglect to
give notice and
deliver account;

and to pay tax.

That section one hundred and fifty be, and the same is hereby, repealed.

Repeal of sec-
tion 150.

That section one hundred and fifty-two be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That it shall not be lawful to record any instrument, document, or paper required by law to be stamped, unless a stamp or stamps of the proper amount shall have been affixed, and cancelled in the manner required by law; and the record of any such instrument, upon which the proper stamp or stamps aforesaid shall not have been affixed and cancelled as aforesaid, shall be utterly void, and shall not be used in evidence.

Section 152.

No instrument,
&c., required to
be stamped, to be
recorded unless
stamped.

Record void.

That section one hundred and fifty-four be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That all official instruments, documents, and papers issued by the officers of the United States government, or by the officers of any State, county, town, or other municipal corporation, shall be, and hereby are, exempt from taxation: *Provided*, That it is the intent hereby to exempt from liability to taxation such State, county, town, or other municipal corporation, in the exercise only of functions strictly belonging to them in their ordinary governmental and municipal capacity.

Section 154.

Official instru-
ments, &c. issued
by officers of the
United States,
or of any
State, county,
town, &c. to be
exempt from
tax.

That section one hundred and fifty-five be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That if any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument, which shall have be [en] provided, or may hereafter be provided, made, or used in pursuance of this

Section 155.

Penalty for
forging or coun-
terfeiting any
stamp, die, &c.

Penalty for forging any stamp upon any paper, &c. or stamping, &c. with intent to defraud ;

for knowingly uttering or selling paper, &c. with forged stamp ;

for knowingly using or permitting the use of forged stamp ;
for fraudulently removing stamp, or impression of stamp, from paper, &c. ;

for fraudulently using, &c. stamp, cut, &c. from any other paper required to be stamped ;

for wilfully removing or altering the cancelling of a stamp, &c. ;

for knowingly buying or selling, or having in possession washed, &c. stamps.

Forfeiture.

Fine or imprisonment, or both.

Section 158.

Persons making, issuing, receiving, or paying, &c. any instrument, note, &c. required to be stamped, without having thereon a stamp cancelled, with intent to evade the law, to forfeit \$ 50, and instrument, &c. to be void.

act, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, the impression, or any part of the impression, of any such stamp, die, plate, or other instrument, as aforesaid, upon any vellum, parchment, or paper, or shall stamp or mark, or cause or procure to be stamped or marked, any vellum, parchment, or paper, with any such forged or counterfeited stamp, die, plate, or other instrument, or part of any stamp, die, plate, or other instrument, as aforesaid, with intent to defraud the United States of any of the taxes hereby imposed, or any part thereof ; or if any person shall utter, or sell, or expose to sale, any vellum, parchment, paper, article, or thing, having thereupon the impression of any such counterfeited stamp, die, plate, or other instrument, or any part of any stamp, die, plate, or other instrument, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same to be forged, counterfeited, or resembled ; or if any person shall knowingly use or permit the use of any stamp, die, plate, or other instrument, which shall have been so provided, made, or used, as aforesaid, with intent to defraud the United States ; or if any person shall fraudulently cut, tear, or remove, or cause or procure to be cut, torn, or removed, the impression of any stamp, die, plate, or other instrument, which shall have been provided, made, or used, in pursuance of this act, from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law ; or if any person shall fraudulently use, join, fix, or place, or cause to be used, joined, fixed, or placed, to, with, or upon any vellum, parchment, paper, or any instrument or writing charged or chargeable with any of the taxes hereby imposed, any adhesive stamp, or the impression of any stamp, die, plate, or other instrument, which shall have been provided, made, or used in pursuance of law, and which shall have been cut, torn, or removed from any other vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the taxes imposed by law ; or if any person shall wilfully remove or cause to be removed, alter or cause to be altered, the cancelling or defacing marks on any adhesive stamp, with intent to use the same, or to cause the use of the same after it shall have been once used, or shall knowingly or wilfully sell or buy such washed or restored stamps, or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the further use thereof ; or if any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any washed, restored, or altered stamps, which have been removed from any vellum, parchment, paper, instrument, or writing, then, and in every such case, every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting in committing any such offence as aforesaid, shall, on conviction thereof, forfeit the said counterfeit stamps and the articles upon which they are placed, and be punished by fine not exceeding one thousand dollars, or by imprisonment and confinement to hard labor not exceeding five years, or both, at the discretion of the court.

That section one hundred and fifty-eight be amended by striking out all after the enacting clause and inserting in lieu thereof the following : That any person or persons who shall make, sign, or issue, or who shall cause to be made, signed, or issued, any instrument, document, or paper of any kind or description whatsoever, or shall accept, negotiate, or pay, or cause to be accepted, negotiated, or paid, any bill of exchange, draft, or order, or promissory note for the payment of money, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the tax chargeable thereon, and cancelled in the manner required by law, with intent to evade the provisions of this act, shall, for every such offence, forfeit the sum of fifty dollars, and such instrument, document, or paper, bill, draft, order, or note, not being stamped according to law, shall be

deemed invalid and of no effect: *Provided*, That the title of a purchaser of land by deed duly stamped shall not be defeated or affected by the want of a proper stamp on any deed conveying said land by any person from, through, or under whom his grantor claims or holds title: *And provided further*, That hereafter, in all cases where the party has not affixed to any instrument the stamp required by law thereon, at the time of making or issuing the said instrument, and he or they, or any party having an interest therein, shall be subsequently desirous of affixing such stamp to said instrument, or if said instrument be lost, to a copy thereof, he or they shall appear before the collector of the revenue of the proper district, who shall, upon the payment of the price of the proper stamp required by law, and of a penalty of fifty dollars, and where the whole amount of the tax denoted by the stamp required shall exceed the sum of fifty dollars, on payment also of interest, at the rate of six per centum on said tax from the day on which such stamp ought to have been affixed, affix the proper stamp to such instrument or copy, and note upon the margin thereof the date of his so doing, and the fact that such penalty has been paid; and the same shall thereupon be deemed and held to be as valid, to all intents and purposes, as if stamped when made or issued: *And provided further*, That where it shall appear to said collector, upon oath or otherwise, to his satisfaction that any such instrument has not been duly stamped at the time of making or issuing the same, by reason of accident, mistake, inadvertence, or urgent necessity, and without any wilful design to defraud the United States of the stamp, or to evade or delay the payment thereof, then and in such case, if such instrument, or, if the original be lost, a copy thereof duly certified by the officer having charge of any records in which such original is required to be recorded, or otherwise duly proven to the satisfaction of the collector, shall, within twelve calendar months after the first day of August, eighteen hundred and sixty-six, or within twelve calendar months after the making or issuing thereof, be brought to the said collector of revenue to be stamped, and the stamp tax chargeable thereon shall be paid, it shall be lawful for the said collector to remit the penalty aforesaid, and to cause such instrument to be duly stamped. And when the original instrument, or a certified or duly proved copy thereof, as aforesaid, duly stamped so as to entitle the same to be recorded, shall be presented to the clerk, register, recorder, or other officer having charge of the original record, it shall be lawful for such officer, upon the payment of the fee legally chargeable for the recording thereof, to make a new record thereof, or to note upon the original record the fact that the error or omission in the stamping of said original instrument has been corrected pursuant to law; and the original instrument or such certified copy or the record thereof may be used in all courts and places in the same manner and with like effect as if the instrument had been originally stamped: *And provided further*, That in all cases where the party has not affixed the stamp required by law upon any instrument made, signed, or issued, at a time when and at a place where no collection district was established, it shall be lawful for him or them, or any party having an interest therein, to affix the proper stamp thereto, or if the original be lost, to a copy thereof; and the instrument or copy to which the proper stamp has been thus affixed prior to the first day of January, one thousand eight hundred and sixty-seven, and the record thereof, shall be as valid, to all intents and purposes, as if stamped by the collector in the manner hereinbefore provided. But no right acquired in good faith before the stamping of such instrument or copy thereof, and the recording thereof, as herein provided, if such record be required by law, shall in any manner be affected by such stamping as aforesaid.

That section one hundred and sixty-three be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That hereafter no deed, instrument, document, writing, or paper, required

Title to land not affected, if, &c.

If stamp is not put on instrument when made, how it may be placed thereon afterward, or upon a copy, if original is lost.

Proceedings where instrument was not duly stamped by accident, &c.

May be recorded.

If instrument not having stamp was made when and where there was no collection district, stamp may be affixed before January 1, 1867.

Intervening bona fide rights not affected.

Section 163. No deed, &c. required to be

stamped, to be hereafter admitted in evidence, until proper stamps are affixed.

Documents made in a foreign country for use here, to pay same tax as though made here.

Who to affix stamp.

Section 165.

Penalty for making, selling, or removing for sale, &c. drugs, preparations, matches, &c. without affixing proper stamp.

Section 169.

Persons offering for sale any article named in schedule C, to be deemed the manufacturers.

Such articles, if imported, to pay stamp tax.

Proviso.

Schedule B, amended.

Receipts, stamp upon.

Where there are several signatures to the same paper.

"Money" to include drafts.

Assignments and transfers of mortgages.

by law to be stamped, which has been signed or issued without being duly stamped, or with a deficient stamp, nor any copy thereof, shall be recorded, or admitted, or used as evidence in any court until a legal stamp or stamps, denoting the amount of tax, shall have been affixed thereto, as prescribed by law: *Provided*, That any power of attorney, conveyance, or document of any kind, made or purporting to be made in any foreign country to be used in the United States, shall pay the same tax as is required by law on similar instruments or documents when made or issued in the United States; and the party to whom the same is issued, or by whom it is to be used, shall, before using the same, affix thereon the stamp or stamps indicating the tax required.

That section one hundred and sixty-five be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That if any person, firm, company, or corporation shall make, prepare, and sell, or remove for consumption or sale, drugs, medicines, preparations, compositions, articles, or things, including perfumery, cosmetics, lucifer or friction matches, cigar lights, or wax tapers, and playing cards, and also including prepared mustards, preserved meats, fish, shell-fish, fruits, vegetables, sauces, sirups, jams, and jellies, when packed or sealed in cans, bottles, or other single packages, whether of domestic manufacture or imported, upon which a duty or tax is imposed by law, as enumerated and mentioned in schedule C, without affixing thereto an adhesive stamp or label denoting the tax before mentioned, he or they shall incur a penalty of fifty dollars for every omission to affix such stamp.

That section one hundred and sixty-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That any person who shall offer or expose for sale any of the articles named in schedule C, or in any amendments thereto, whether the articles so offered or exposed are imported or are of foreign or domestic manufacture, shall be deemed the manufacturer thereof, and subject to all the duties, liabilities, and penalties imposed by law in regard to the sale of domestic articles without the use of the proper stamp or stamps denoting the tax paid thereon, and all such articles imported, or of foreign manufacture, shall, in addition to the import duties imposed on the same, be subject to the stamp tax, respectively, prescribed in schedule C, as aforesaid: *Provided*, That when such imported articles, except playing cards, lucifer or friction matches, cigar lights, and wax tapers, shall be sold in the original and unbroken package in which the bottles or other enclosures were packed by the manufacturer, the person so selling said articles shall not be subject to any penalty on account of the want of the proper stamp.

That schedule B, preceding section one hundred and seventy-one, be amended by striking out all after the paragraphs relating to "gauger's returns" and "measurer's returns;" and by striking out all from "receipts for the payment of any sum of money," down to "weigher's returns, if of a weight not exceeding five thousand pounds, ten cents; exceeding five thousand pounds, twenty-five cents," inclusive, and inserting in lieu thereof the following: Receipts for any sum of money, or for the payment of any debt, exceeding twenty dollars in amount, not being for the satisfaction of any mortgage or judgment or decree of any court, or by indorsement on any stamped obligation in acknowledgment of its fulfilment, for each receipt two cents: *Provided*, That when more than one signature is affixed to the same paper, one or more stamps may be affixed thereto representing the whole amount of the stamp required for such signatures; and that the term money, as herein used, shall be held to include drafts and other instruments given for the payment of money.

That schedule B, preceding section one hundred and seventy-one, be amended by inserting, immediately preceding the proviso relating to stamps on mortgages, the following: Upon every assignment or transfer

of a mortgage the same stamp tax upon the amount remaining unpaid thereon as is herein imposed upon a mortgage for the same amount. Also by striking out the words "mortgage or" in said proviso. Also by inserting the words "domestic and inland bills of lading and" after "than" and before "those" in the first line of said schedule.

Domestic and inland bills of lading.

That schedule B be amended, under the head of contract, by striking out the words following: "Stocks, bonds," and "notes of hand." Also, by inserting under the head of contract, after the words "for each note or memorandum of sale, ten cents," the words following: "Bill or memorandum of the sale or contract for the sale of stocks, bonds, gold or silver bullion, coin, promissory notes, or other securities, shall pay a stamp tax at the rate provided in section ninety-nine."

Bill or memorandum of sale or contract for sale of stocks, &c.

That schedule C be amended by striking out the paragraph in relation to photographs.

Schedule C amended.
Photographs.

That schedule C be further amended by striking out the paragraph relating to cigar lights and wax tapers, and inserting in lieu thereof the following: For wax tapers, double the rates herein imposed upon friction or lucifer matches; on cigar lights, made in part of wood, wax, glass, paper, or other materials, in parcels or packages containing twenty-five lights or less in each parcel or package, one cent; when in parcels or packages containing more than twenty-five and not more than fifty lights, two cents; for every additional twenty-five lights or fractional part of that number, one cent additional; and by striking out all after the words "playing cards," and inserting in lieu thereof the following:—

Cigar lights, wax tapers.

For and upon every pack, not exceeding fifty-two cards in number, irrespective of price or value, five cents;

Playing cards.

For and upon every can, bottle, or other single package, containing meats, fish, shell-fish, fruits, vegetables, sauces, sirups, prepared mustard, jams or jellies contained therein and packed or sealed, made, prepared, and sold, or offered for sale, or removed for consumption in the United States, on and after the first day of October, eighteen hundred and sixty-six, when such can, bottle, or other single package, with its contents shall not exceed two pounds in weight, the sum of one cent (\$0.01).

Preserved meats, fish, vegetables, &c.

When such can, bottle, or other single package, with its contents, shall exceed two pounds in weight, for every additional pound or fractional part thereof, one cent (\$0.01).

That section one hundred and seventy-one be amended by adding thereto the following proviso: *Provided also*, That no claim for drawback on any articles of merchandise exported prior to June thirtieth, eighteen hundred and sixty-four, shall be allowed unless presented to the commissioner of internal revenue within three months after this amendment takes effect.

Section 171.
No claim for drawback, unless presented, &c.

That section one hundred and seventy-nine be amended by striking out all after the enacting clause and inserting in lieu thereof the following: That, where it is not otherwise provided for, it shall be the duty of the collectors, in their respective districts, and they are hereby authorized, to prosecute for the recovery of any sum or sums that may be forfeited; and all fines, penalties, and forfeitures which may be imposed or incurred shall and may be sued for and recovered, where not otherwise provided, in the name of the United States, in any proper form of action, or by any appropriate form of proceeding, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any court of competent jurisdiction. And where not otherwise provided for, such share as the Secretary of the Treasury shall, by general regulations, provide, not exceeding one moiety nor more than five thousand dollars in any one case, shall be to the use of the person, to be ascertained by the court which shall have imposed or decreed any such fine, penalty, or forfeiture, who shall first inform of the cause, matter, or thing whereby such fine, penalty, or forfeiture shall have

Section 179.
Collectors to prosecute for fines, penalties, and forfeitures.

Where suits may be brought.

What amount to be paid to informer, when there has been a judgment;

when payment is made without suit or before judgment.

No right accrues to an informer until, &c.

Power to remit fines, &c. not affected.

Commissioner may compromise cases whether pending or otherwise.

What courts to have jurisdiction.

In civil actions for penalties, if informer is witness, the other party may be.

Penalty for receiving money under threat of informing or for not informing.

Repeal of §§ 2, 5, 8, 9, 10, and 12 of act of 1865, ch. 78.

Vol. xiii. pp. 483-5.

Section 6.

Persons, &c. using notes of State banks as circulation after August 1, 1866, to pay a tax of ten per cent thereon.

Section 14.
Vol. xiii. p. 486.
Capital of State bank ceasing to exist, &c. to be the capital as it was when bank ceased to exist.

Circulation of not over five per cent of capital exempt from tax.

Banks ceasing to issue circula-

been incurred; and when any sum is paid without suit, or before judgment, in lieu of fine, *penalty* [penalty], or forfeiture, and a share of the same is claimed by any person as informer, the Secretary of the Treasury, under general regulations to be by him prescribed, shall determine whether any claimant is entitled to such share as above limited, and to whom the same shall be paid, and shall make payment accordingly. It is hereby declared to be the true intent and meaning of the present and all previous provisions of internal revenue acts granting shares to informers, that no right accrues to or is vested in any informer in any case until the fine, penalty, or forfeiture in such case is fixed by judgment or compromise and the amount or proceeds shall have been paid, when the informer shall become entitled to his legal share of the sum adjudged or agreed upon and received: *Provided*, That nothing herein contained shall be construed to limit or affect the power of remitting the whole or any portion of a fine, penalty, or forfeiture conferred on the Secretary of the Treasury by existing laws. The commissioner of internal revenue shall be, and is hereby, authorized and empowered to compromise, under such regulations as the Secretary of the Treasury shall prescribe, any case arising under the internal revenue laws, whether pending in court or otherwise. The several circuit and district courts of the United States shall have jurisdiction of all offences against any of the provisions of this act committed within their several districts: *Provided*, That whenever in any civil action for a penalty the informer may be a witness for the prosecution, the party against whom such penalty is claimed may be and shall be admitted as a witness on his own behalf. Every person who shall receive any money or other valuable thing under a threat of informing or as a consideration for not informing against any violation of this act, shall, on conviction thereof, be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court, with costs of prosecution.

SEC. 9, [bis.] *And be it further enacted*, That sections two, five, eight, nine, ten, and twelve of the act entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirtieth, eighteen hundred and sixty-four," approved March third, eighteen hundred and sixty-five, be, and the same are hereby, repealed.

That section six of the act of March third, eighteen hundred and sixty-five, entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirty, eighteen hundred and sixty-four, be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That every national banking association, State bank, or State banking association, shall pay a tax of ten per centum on the amount of notes of any person, State bank, or State banking association, used for circulation and paid out by them after the first day of August, eighteen hundred and sixty-six, and such tax shall be assessed and paid in such a manner as shall be prescribed by the commissioner of internal revenue.

That section fourteen of the same act shall be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That the capital of any State bank or banking association which has ceased or shall cease to exist, or which has been or shall be converted into a national bank, shall be assumed to be the capital as it existed immediately before such bank ceased to exist or was converted as aforesaid; and whenever the outstanding circulation of any bank, association, corporation, company, or person shall be reduced to an amount not exceeding five per centum of the chartered or declared capital existing at the time the same was issued, said circulation shall be free from taxation; and whenever any bank which has ceased to issue notes for circulation shall deposit in the treasury of the United States, in lawful money, the amount

of its outstanding circulation, to be redeemed at par, under such regulations as the secretary of the Treasury shall prescribe, it shall be exempt from any tax upon such circulation; and whenever any State bank or banking association has been converted into a national banking association, and such national banking association has assumed the liabilities of such State bank or banking association, including the redemption of its bills, by any agreement or understanding whatever with the representatives of such State bank or banking association, such national banking association shall be held to make the required return and payment on the circulation outstanding, so long as such circulation shall exceed five per centum of the capital before such conversion of such State bank or banking association.

ting notes, &c.
to be exempt.

National banks made from State banks, and assuming their liabilities, to make return, and pay tax on circulation of over five per cent of capital.

That an act entitled "An act to declare the meaning of certain parts of the internal revenue act approved June thirty, eighteen hundred and sixty-four, and for other purposes," approved March tenth, eighteen hundred and sixty-six, be amended by striking out sections three, four, and five of said act, and inserting in lieu thereof the following: That it shall be the duty of all persons required to make returns or lists of income and articles or objects charged with an internal tax, to declare in such returns or lists whether the several rates and amounts therein contained are stated according to their values in legal tender currency or according to their values in coined money; and in case of neglect or refusal so to declare to the satisfaction of the assistant assessor receiving such returns or lists, such assistant assessor is hereby required to make returns or lists for such persons so neglecting or refusing, as in cases of persons neglecting or refusing to make the returns or lists required by the acts aforesaid, and to assess the tax thereon, and to add thereto the amount of penalties imposed by law in cases of such neglect or refusal. And whenever the rates and amounts contained in the returns or lists as aforesaid shall be stated in coined money, it shall be the duty of each assessor receiving the same to reduce such rates and amounts to their equivalent in legal tender currency, according to the value of such coined money in said currency for the time covered by said returns. And the lists required by law to be furnished to collectors by assessors shall in all cases contain the several amounts of taxes assessed, estimated, or valued in legal tender currency only.

Substitute for sections 3, 4, and 5 of act of 1866, ch. 15. *Ante*, p 5.

Persons making lists for taxation, to declare whether values are stated in legal tender or coined money.

Failing to do so, assistant assessor to make lists and add penalties.

If values are stated in coined money, assessor to reduce it to legal tender.

Values in lists sent by assessors to collectors, to be in legal tender.

Articles and products exempt from taxation.

SEC. 10. *And be it further enacted*, That, from and after the passage of this act the articles and products hereinafter enumerated shall be exempt from internal tax:—

Alum; aluminum; aluminous cake, patent alum, sulphate of alumina, and cobalt;

Aniline and aniline colors;

Animal charcoal, or carbon;

Anvils;

Articles manufactured in institutions for the blind, and in institutions for the deaf and dumb, which are sold to aid in their support, or the support of the pupils;

Barrels and casks, other than those used for the reception of fluids; packing boxes made of wood; and boxes of wood or paper for friction matches, cigar lights, and wax tapers;

Beeswax, crude or unrefined;

Bi-chromate and prussiate of potash;

Bleaching powders;

Blue vitriol;

Borax, and boracic acid;

Brass not more advanced than rods or sheets;

Brick, fire-brick, draining tiles, cement, drain and sewer pipes, earthen and stone water-pipes, retorts and tiles made of clay;

Bristles;

Brooms made from corn, brush, or palm-leaf;

Articles and
products exempt
from taxation.

Building stone of all kinds, including slate, marble, freestone, and soap-stone, and rock, and ground gypsum ;
Bunting and flags of the United States, and banners made of bunting of domestic manufacture ;
Burrstones, millstones, and grindstones, rough or wrought ;
Candle wicking ;
Chronometers ;
Coffins and burial cases ;
Copperas ;
Copper, lead, and tin, in ingots, pigs, or bars ;
Copper and yellow sheathing metal, not more advanced than rods or sheets ;
Crates, and grain or farm baskets made of splints ;
Crucibles of all kinds ;
Crutches and artificial limbs, eyes, and teeth ;
Deer-skins, smoked, or not oil-dressed ;
Feather beds, mattresses, palliasses, bolsters, and pillows ;
Fertilizers of all kinds ;
Flasks and patterns used by founders ;
Flax and the manufactures thereof ;
Flavoring extracts solely for cooking purposes ;
German silver in bars or sheets ;
Gold leaf and gold foil ;
Hemp and jute prepared for textile or felting purposes ;
Hulls of ships and other vessels ;
Illuminating gas manufactured by educational institutions for their own use exclusively ;
India-rubber springs used exclusively for railroad cars ;
Iron bridges, and castings for iron bridges ;
Iron drain and sewer pipes ;
Keys, actions, and strings for musical instruments ;
Litharge and orange mineral ;
Machines driven by horse power and used exclusively for cutting fire-wood, staves, and shingle bolts ; and hand-saws ;
Magnesium, calcined magnesia, and carbonate of magnesia ;
Malleable iron castings, unfinished ;
Manganese ;
Masts, spars, ship and vessel blocks, and tree-nail wedges and deck plugs, cordage, ropes, and cables made of vegetable fibre ;
Medicinal and mineral waters, of all kinds, sold in bottles or from fountains, and mead ;
Mounting and machinery of telescopes for astronomical purposes ;
Mills and machinery for the manufacture of sugar, sirup, and molasses from sorghum, imphee, beets and corn ;
Mineral coal of all kinds, and peat ;

Monuments.

Monuments of stone of all kinds, not exceeding in value the sum of one hundred dollars : *Provided*, That monuments exceeding the value aforesaid, erected by public or private contributions to commemorate the service of Union soldiers who have fallen in battle, shall be exempt from taxation ;
Mouldings for looking-glasses and picture-frames ;
Muriatic, nitric, and acetic acids ;
Nickel, quicksilver, and sodium ;
Nitrate of lead ;
Oakum ;
Original paintings, statues, and groups of statuary and casts made thereof by the artist from the original designs ;
Oxide of zinc ;
Paints, painters' and paper stainers' colors ;
Printing paper of all descriptions ; and tarred paper for roofing and

other purposes ; books, maps, charts, and all printed matter, and book-binding ; paraffine ; paraffine oil, not exceeding in specific gravity thirty-six degrees Baumé's hydrometer, a residuum of distillation or the products thereof ; lubricating oil made from crude petroleum, coal, or shale, not exceeding in specific gravity thirty-six degrees Baumé's hydrometer : *Provided*, That such oil shall be subject to the same inspection as illuminating oil ; crude petroleum, and crude oil the product of the first and single distillation of coal, shale, asphaltum, peat, or other bituminous substances ;

Articles and products exempt from taxation.

Photographs or any other sun picture, being copies of engravings or works of art, when the same are sold by the producer at wholesale at a price not exceeding fifteen cents each, or are used for the illustration of books ;

Pickles, when sold by the gallon and not contained in glass packages ;

Pig-iron ; muck bar ; blooms, slabs, and loops ;

Ploughs, cultivators, harrows, straw and hay cutters, planters, seed-drills, horse-rakes, hand-rakes, cotton gins, grain cradles, and winnowing-mills ;

Pot and pearl ashes ;

Productions of stereotypers, lithographers, engravers, and electrotypers ;

Putty ;

Quinine, morphine, and other vegetable alkaloids, and phosphorus ;

Railroad iron, and railroad iron re-rolled ;

Railroad chairs and fish plates ; railroad, boat, and ship spikes ; axe polls ; iron axles ; shoes for horses, mules, and oxen ; rivets, horseshoe nails, nuts, washers, and bolts ; vises, iron chains, and anchors ; when such articles are made of wrought iron which has previously paid the tax or duty assessed thereon ;

Reapers, mowers, threshing machines, and separators ; corn-shellers and wooden ware ; cotton and hay presses ;

Repairs of articles of all kinds ;

Residuums, the product of mineral, vegetable, or animal substances drawn from stills after distillation ;

Roman and water cements, and lime ;

Roofing slate, slabs, and tiles ;

Saleratus, sal soda, caustic soda, crude soda, alumino-silicate of soda ; aluminate of soda ; bi-carbonate of soda ; and silicate of soda ;

Sails, tents, awnings, and bags made by sewing from fabrics or other articles upon which a duty or tax has been paid ; and bags made of paper ;

Saltpetre ;

Salts of tin ;

Silex used in the manufacture of glass ;

Soap, valued at not above three cents per pound ;

Spelter ;

Spindles and castings of all descriptions made specially for locks, safes, looms, spinning machines, steam engines, hot air and hot water furnaces, and sewing machines, and not sold or used for any other purposes, and upon which a tax is assessed and paid on the article of which the casting is a part ;

Spokes, hubs, bows, and felloes ; poles, shafts, arms, and wheels not ironed or finished for carriages or wagons ; wooden handles for ploughs, and for other agricultural, household, and mechanical tools and implements ; and pail and tub ears and handles ; and wooden tanks, and cisterns for crude mineral oil ;

Starch ;

Steel, made from iron advanced beyond muck bar, blooms, slabs, or loops in ingots, bars, rails made and fitted for railroads, sheet, plate, coil, or wire, hoop-skirt wire covered or uncovered ; car wheels, thimble skeins

Articles and products exempt from taxation.

and pipe boxes, and springs, tire and axles made of steel used exclusively for vehicles, cars or locomotives; and clock springs, faces and hands;

Stoves, composed in part of cast iron and in part of sheet iron, or of soapstone, fire-brick, or freestone, with or without cast iron or sheet iron: *Provided*, That the cast and sheet iron shall have paid the tax or duty previously assessed thereon;

Sugar, molasses, or sirup made from beets, corn, sugar maple, or from sorghum, or imphee;

Sulphate of barytes;

Sulphur, flowers of sulphur, and sulphur flour;

Tar and crude turpentine;

Tin cans used for preserved meats, fish, shell-fish, fruits, vegetables, jams, jellies, paints, oils, and spices;

Umbrellas and parasols, and sticks and frames for the same;

Value of bullion used in the manufacture of wares, watches, and watch-cases, and bullion prepared for the use of platers and watchmakers;

Vegetable, animal, and fish oils of all descriptions, not otherwise provided for, including red oil, oleic acid, and admixtures of the same with paraffine oil, not exceeding in specific gravity thirty-six degrees Baumé's hydrometer;

Verdigris;

Vinegar;

White and red lead;

Whiting; Paris white;

Window glass of all kinds;

Wine made of grapes, currants or other fruits, and rhubarb;

Wire made from wire less than number twenty wire gauge, upon which a tax has been assessed and paid as wire, and no manufactured wire shall pay a greater tax than that imposed on number twenty wire gauge;

Yarn and warp for weaving, braiding or manufacturing purposes exclusively;

Yeast and baking powders;

Zinc, in ingots or sheets:

Exemptions confined to articles as specified.

Provided further, That the exemptions aforesaid shall, in all cases, be confined exclusively to said articles in the state and condition specified in the foregoing enumeration, and shall not extend to articles in any other form, nor to manufactures from said articles.

Monthly lists to be made before the tenth day of each month, and the tax paid before the last day.

Quarterly and other lists, when to be returned and paid.

SEC. 11. *And be it further enacted*, That all lists or returns required to be made monthly, by any person, firm, company, corporation, or party whatsoever, liable to tax, shall be made on or before the tenth day of each and every month, and the tax assessed or due thereon shall be certified or returned by the assessor to the collector on or before the last day of each and every month. And all lists or returns required to be made quarterly, and all other lists or returns, for which no provision is otherwise made, shall be made on or before the tenth day of each and every month in which said list or return is required to be made, or succeeding the time when the tax may be due and liable to be assessed, and the tax thereon shall be certified or returned as herein provided for monthly lists or returns. And the tax shall be due and payable on or before the last day of each and every month. And in case said tax is not paid on or before the last day of each and every month the collector shall add ten per centum thereto:

Ten per cent to be added if tax is not paid when due.

Notice that tax is due, how to be given.

Provided, That notice of the time when such tax shall become due and payable shall be given in such manner as shall be prescribed by the commissioner of internal revenue; and if said tax shall not be paid on or before the last day of the month as aforesaid, it shall be the duty of said collector to demand payment thereof, with ten per centum additional thereto in the manner prescribed by law; and if said tax and ten per centum additional are not paid within ten days from and after such demand thereof, it shall be lawful for the collector or his deputy to make distraint there-

Demand and ten per cent additional.

Distrain.

for, as provided by law, and so much of section eighty-three of the act of June thirtieth, eighteen hundred and sixty-four, as amended by the act of March third, eighteen hundred and sixty-five, as relates to the time of payment and collection of tax, is hereby repealed; and in all cases of neglect to make such lists or returns, or in case of false and fraudulent returns, the provisions of existing law, as amended by this act, shall be applicable thereto.

Part of former law, relating to time of payment, &c. of tax, repealed.

Laws as to neglect in making returns, &c. applicable hereto.

SEC. 12. *And be it further enacted*, That apothecaries who manufacture, for their own dispensation and sales to consumers and to physicians, the medicines compounded according to the United States or other national pharmacopœias, or of which the full and proper formula is published in any of the dispensaries now or hitherto in common use among physicians or apothecaries, or in any pharmaceutical journal now issued by any incorporated college of pharmacy, shall not be regarded as manufacturers under this act. But apothecaries and all other persons who manufacture for the dispensing and sales of others, or who make and advertise any article, medicinal or otherwise, simple or compound, with any special proprietary claim to merit, or to special advantage in use or effect, whether such claim be based on the properties, qualities, price, or any other distinctive or distinguishing characteristic, whether real or pretended, of the articles so made and advertised, whether such article be or be not made according to the authorities above cited in this section, shall be regarded as manufacturers under this act.

Certain apothecaries not to be regarded as manufacturers under this act.

Other apothecaries and persons to be deemed manufacturers.

SEC. 13. *And be it further enacted*, That no stamp tax shall be imposed upon any uncompounded medicinal drug or chemical, nor upon any medicine compounded according to the United States or other national pharmacopœia, or of which the full and proper formula is published in any of the dispensaries now or hitherto in common use among physicians or apothecaries, or in any pharmaceutical journal now issued by any incorporated college of pharmacy, when not sold or offered for sale, or advertised under any other name, form, or guise than that under which they may be severally denominated and laid down in said pharmacopœias, dispensaries, or journals as aforesaid; nor upon medicines sold to or for the use of any person, which may be mixed and compounded for said person according to the written receipt or prescription of any physician or surgeon. But nothing in this section shall be construed to exempt from stamp tax any medicinal articles, whether simple or compounded by any rule, authority, or formula, published or unpublished, which are put up in a style or manner similar to that of patent or proprietary medicines in general, or advertised in newspapers or by public handbills for popular sale and use, as having any special proprietary claim to merit, or to any peculiar advantage in mode of preparation, quality, use, or effect, whether such claim be real or pretended.

Stamp tax not to be imposed upon certain drugs, medicines, or chemicals.

No patent or proprietary medicine exempted from tax.

SEC. 14. *And be it further enacted*, That in case any goods or commodities for or in respect whereof any tax is or shall be imposed, or any materials, utensils, or vessels proper or intended to be made use of for or in the making of such goods or commodities shall be removed, or shall be deposited or concealed in any place, with intent to defraud the United States of such tax, or any part thereof, all such goods and commodities, and all such materials, utensils, and vessels, respectively shall be forfeited; and in every such case, and in every case where any goods or commodities shall be forfeited under this act, or any other act of Congress relating to the internal revenue, all and singular the casks, vessels, cases or other packages whatsoever, containing, or which shall have contained, such goods or commodities, respectively, and every vessel, boat, cart, carriage, or other conveyance whatsoever, and all horses or other animals, and all things used in the removal or for the deposit or concealment thereof, respectively, shall be forfeited; and every person who shall remove, deposit, or conceal, or be concerned in removing, depositing or concealing any

Removing or concealing, &c. any goods liable to tax, or any materials or utensils for making such goods, with intent to defraud as to such tax, to work forfeiture thereof, &c.

In all cases of forfeiture of goods, &c. the casks, packages, vessels, carriages and horses, &c. used in removal, &c. to be forfeited.

Penalty for

removal, &c.
Fine.

Search warrant, how and by whom may be issued, to search premises to detect frauds upon the revenue.

Penalty for selling, &c. or receiving, &c. any box, cover, &c. marked to show that its contents have been inspected, such boxes being empty or having other contents than when marked;

for making, or marking, &c. any such box, cover, &c.;

for doing the same with intent to defraud.

Fine and imprisonment.

Forfeiture of articles, &c.

Articles requiring marks or stamps, &c. sold upon distraint, without marks, &c. to be stamped and marked by the officer selling, upon sale thereof.

Expenses.

Manual labor schools, &c. not to pay a manufacturer's tax, while, &c.

No suit to be brought to recover tax wrongfully collected until after appeal to commissioner, and his decision thereon.

Suit to be brought within what time.

goods or commodities for or in respect whereof any tax is or shall be imposed, with intent to defraud the United States of such tax or any part thereof, shall be liable to a fine or penalty of not exceeding five hundred dollars.

SEC. 15. *And be it further enacted*, That the judge of any circuit or district court of the United States, or any commissioner thereof, may issue a search warrant, authorizing any internal revenue officer to search any premises, if such officer shall make oath in writing that he has reason to believe, and does believe, that a fraud upon the revenue has been or is being committed upon or by the use of said premises.

SEC. 16. *And be it further enacted*, That in case any person shall sell, give, or purchase or receive any box, barrel, bag, or any vessel, package, wrapper, cover, or envelope of any kind, stamped, branded or marked in any way so as to show that the contents or intended contents thereof have been duly inspected, or that the tax thereon has been paid, or that any provision of the internal revenue laws has been complied with, whether such stamping, branding, or marking may have been a duly authorized act or may be false and counterfeit, or otherwise without authority of law, said box, barrel, bag, vessel, package, wrapper, cover, or envelope being empty, or containing anything else than the contents which were therein when said articles had been so lawfully stamped, branded, or marked by an officer of the revenue, such person shall be liable to a penalty of not less than fifty nor more than five hundred dollars. And any person who shall make, manufacture, or produce any box, barrel, bag, vessel, package, wrapper, cover, or envelope, stamped, branded, or marked, as above described, or shall stamp, brand, or mark the same, as hereinbefore recited, shall, upon conviction thereof, be liable to penalty as before provided in this section. And any person who shall violate the foregoing provisions of this section, with intent to defraud the revenue, or to defraud any person, shall, upon conviction thereof, be liable to a fine of not less than one thousand nor more than five thousand dollars, or imprisonment for not less than six months, nor more than five years, or both such fine and imprisonment, at the discretion of the court. And all articles sold, given, purchased, received, made, manufactured, produced, branded, stamped, or marked in violation of the provisions of this section, and all their contents, shall be forfeited to the United States.

SEC. 17. *And be it further enacted*, That where any whiskey, oil, tobacco, or other articles of manufacture or produce, requiring brands, stamps, or marks of whatever kind to be placed thereon, shall be sold upon distraint, forfeiture, or other process provided by law, the same not having been branded, stamped, or marked as required by law, the officer selling the same shall, upon sale thereof, fix, or cause to be affixed the brands, stamps, or marks so required, and deduct the expense thereof from the proceeds of such sale.

SEC. 18. *And be it further enacted*, That manual labor schools and colleges shall not be required to pay a manufacturer's or special tax while the proceeds of the labor of such institutions are applied exclusively to the support and maintenance of such institutions.

SEC. 19. *And be it further enacted*, That no suit shall be maintained in any court for the recovery of any tax alleged to have been erroneously or illegally assessed or collected, until appeal shall have been duly made to the commissioner of internal revenue according to the provisions of law in that regard, and the regulations of the Secretary of the Treasury established in pursuance thereof, and a decision of said commissioner shall be had thereon, unless such suit shall be brought within six months from the time of said decision, or within six months from the time this act takes effect: *Provided*, That if said decision shall be delayed more than six months from the date of such appeal, then said suit may be brought at any time within twelve months from the date of such appeal.

SEC. 20. *And be it further enacted*, That section fifteen of the act of March three, eighteen hundred and sixty-five, entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirty, eighteen hundred and sixty-four," be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That in any port of the United States in which there is more than one collector of internal revenue, the Secretary of the Treasury may designate one of said collectors to have charge of all matters relating to the exportation of articles subject to tax under the laws to provide internal revenue; and at such ports as the Secretary of the Treasury may deem it necessary, there shall be an officer appointed by him to superintend all matters of exportation and drawback, under the direction of the collector, whose compensation therefor shall be prescribed by the Secretary of the Treasury, but shall not exceed, in any case, an annual rate of two thousand dollars, excepting at New York, where the compensation shall be an annual rate of three thousand dollars. And all the books, papers, and documents in the bureau of drawback in the respective ports, relating to the drawback of taxes paid under the internal revenue laws, shall be delivered to said collector of internal revenue; and any collector of internal revenue, or superintendent of exports and drawbacks, shall have authority to administer such oaths and certify to such papers as may be necessary under any rules and regulations that may be prescribed under the authority herein conferred.

In ports where there is more than one collector of internal revenue, one may be designated to attend to exportation. Vol. xiii. p.486.

Superintendent of exportation and drawback.

Compensation.

Books, papers, &c. in bureau of drawback to be delivered to collector of internal revenue, who may administer oaths and certify papers.

SEC. 21. *And be it further enacted*, That every person, firm, or corporation who distills or manufactures spirits or alcohol by continuous distillation from grain, who brews or makes mash, wort, or wash, for distillation or the production of spirits, shall be deemed a distiller, under this act. And the making or keeping by any person of grain, mash, wash, or beer, prepared or fit for distillation, together with the possession by such person of a still or other apparatus capable of use for distilling, upon the same premises, shall be deemed and taken as presumptive evidence that such person is a distiller within the meaning of this act.

Who to be deemed a distiller, and what presumptive evidence thereof.

SEC. 22. *And be it further enacted*, That every person, firm, or corporation who rectifies, purifies, or refines distilled spirits or wines by any process, or who, by mixing distilled spirits or wine with any materials, manufactures any spurious, imitation, or compound liquors for sale, under the name of whiskey, brandy, gin, rum, wine, "spirits," or "wine bitters," or any other name, shall be regarded as a rectifier under this act.

Who to be regarded as a rectifier.

SEC. 23. *And be it further enacted*, That if any person shall carry on the business of a distiller or rectifier without having paid the special tax, as required by law, he shall for every such offence be liable to a fine of not less than double the tax imposed upon the spirits distilled, or double the special tax due for the spirits rectified by such person or found upon the premises hereinafter mentioned, and to imprisonment for a term not exceeding two years; and all spirituous liquors so distilled or rectified, or owned by such person, or found as hereinafter mentioned, and all materials for making or preparing the same, and all vessels containing the same, and all stills or other apparatus capable of being used for distilling, owned by such person or found upon any premises where such business shall be carried on in violation of this section, shall be forfeited to the United States, and may be seized by the collector or deputy collector of the district within which such offence is committed.

Penalty for doing business as a distiller or rectifier without having paid the special tax.

Liquors, materials, vessels, stills, &c. to be forfeited.

SEC. 24. *And be it further enacted*, That every person engaged in, or intending to be engaged in, the business of a distiller or rectifier, shall give notice in writing, subscribed by him, to the assessor of the district within which such business is to be carried on, stating the name or style under which, the name or names, and the place or places of residence of the person or persons by whom, and the place where said business is to

Distillers and rectifiers to give notice in writing to assessor.

Notice to state what.

Notice to be given of certain changes, and within what time.

Bond.

Conditions.

Penal sum.

When collector may refuse to approve bond.

Appeal.

New bond.

Penalty for failing to give notice or bond, &c.

Stills, boilers, &c. not to be used for purposes of distilling in certain buildings.

Penalty for such use.

Stills, &c. to be forfeited. Fine or imprisonment.

Manufacturers of stills, &c. before their removal to notify collector.

Stills, &c. not to be set up without written permit of collector.

Penalty for so doing or for failing to give notice.

Saleratus.

Boilers used in making steam or heating water.

Rectifiers and dealers in dis-

be carried on, and whether of distilling or rectifying. In case of a distiller, the notice shall also state the kind of stills, boilers, and other implements to be used, the capacity of each, the name or names of the owner or owners of the premises on which the distillery is or is to be situated, and if such premises are leased, the terms of the lease. In case of any change in the location, form, capacity, ownership, agency, or superintendence of such distillery, stills, boilers, or other implements, like notice shall be given as aforesaid, within twenty-four hours, of such change. Such person shall also give bond, in form to be prescribed by the commissioner of internal revenue, with sureties approved by the collector of the district, who may approve the same if he shall be satisfied, by affidavits made on said bond, of the sufficiency of said sureties, conditioned that he will comply with all the requirements of the law in relation to distilled spirits. The penal sum of such bond shall not be more than double the amount of the tax on the spirits that can be distilled by such still or stills or other implements during a period of fifteen days; said collector may refuse to approve said bond when, in his judgment, the location of the distillery is such as would enable the distiller to defraud the revenue, and in case of such refusal, the distiller may appeal to the commissioner of internal revenue, whose decision in the matter shall be final. A new bond may be required in case of the death, insolvency, or removal of either of the sureties, or in any other contingency, at the discretion of the collector. Any person failing to give the notice or bond hereinbefore required, or giving a false or fraudulent notice, shall be liable to the fine and forfeiture provided in the last preceding section.

SEC. 25. *And be it further enacted*, That no person shall use any still, boiler, or other vessel, for the purpose of distilling in any building or on any premises where beer, lager beer, ale, porter, or other fermented liquors, vinegar, or ether, are manufactured or produced, or where sugars or sirups are refined, or where liquors of any description are retailed, or any other business is carried on, or in any dwelling-house; and every person who shall use such still, boiler, or other vessel, for the purpose of distilling, as aforesaid, in any building or other premises where the above specified articles are manufactured, produced, or other business is carried on, or in any dwelling-house, or who shall procure the same to be done, shall forfeit such stills, boilers, or other vessels so used, and all the spirits distilled, and pay a fine of one thousand dollars, or be imprisoned for not more than one year, in the discretion of the court; and any person who shall manufacture any still, boiler, or other vessel, to be used for the purpose of distilling, shall, before the same is removed from the place of manufacture, notify the collector where such still, boiler, or other vessel is to be used or sent, and by whom it is to be used, and of its capacity, and the time when the same is to be sent or set up; and no such still, boiler, or other vessel, shall be set up without the permit in writing of the collector for that purpose; and any person who shall set up such still, boiler, or other vessel, without first obtaining a permit from the collector of the district in which such still, boiler, or other vessel is intended to be used, or who shall fail to give such notice, shall pay in either case the sum of five hundred dollars, and shall forfeit the distilling apparatus thus removed or set up in violation of law; *Provided*, That saleratus may be made or manufactured in any building or on any premises where spirits are distilled: *Provided further*, That any boiler used in generating steam or heating water to be used in such distillery may be located in any other building or on any other premises to be connected with such still or boiling tubs, by suitable pipes or other apparatus, or the steam from such boiler in the distillery may be conveyed to other premises to be used for manufacturing or other purposes.

SEC. 26. *And be it further enacted*, That every rectifier or wholesale dealer in distilled spirits shall enter, daily, in a book or books kept for

the purpose, under such rules and regulations as the commissioner of internal revenue may prescribe, the number of proof gallons of spirits purchased or received, of whom purchased and received, and the number of proof gallons sold or delivered; and every rectifier or wholesale dealer who shall neglect or refuse to keep such record shall forfeit all spirits in his possession, together with the apparatus, tools, and implements used, and be subject to a fine of five hundred dollars, or imprisonment for not less than six months nor more than one year, in the discretion of the court. And every rectifier shall mark on each package of five gallons or more of distilled or rectified spirits sold by him, his name and place of business.

SEC. 27. *And be it further enacted*, That the owner or owners of any distillery shall provide at his or their own expense a warehouse suitable for the storage of bonded spirits, of [his or] their own manufacture only; or he or they may provide a secure room in a suitable building, to be used as such warehouse, but no dwelling-house shall be used for such purpose; and no door, window, or other opening shall be made or permitted in the walls thereof, leading to any other room or building used for any other purpose, or into the distillery; and after a bond has been given, as hereinafter provided, such warehouse or room, when approved by the Secretary of the Treasury, on report of the district collector, is hereby declared to be a bonded warehouse of the United States, and shall be used only for the storing of spirits manufactured by the owner, agent, or superintendent of such distillery, and shall be under the custody of the inspector as hereinafter provided; and shall be kept locked up by the proper officer in charge, at all times, except when he shall be present; and the tax on the spirit stored in such warehouse shall be paid before removal from such warehouse, unless removed in pursuance of law. And the owner or owners of such warehouse shall execute a general bond to the United States with two or more sureties, to be approved by the collector; and such bond shall be for not less than the amount of taxes on the spirits to be covered thereby, and in such form, and containing such conditions, as shall be approved by the Secretary of the Treasury, and shall be changed or renewed from time to time in regard to the amount and sureties thereof, as the collector, with the approval of the Secretary of the Treasury, may require.

SEC. 28. *And be it further enacted*, That general bonded warehouses, for the storage of spirits or other merchandise allowed by law to be placed in bond to secure the payment of the internal revenue tax thereon, or the exportation thereof, may be established under such rules and regulations and upon the execution of such bonds as the Secretary of the Treasury may prescribe, and shall be in the immediate custody of storekeepers who shall be appointed for that purpose, whose compensation shall be paid monthly to the collector of the district by the owners or proprietors of such warehouse, and shall not exceed the rates which may be allowed to storekeepers of bonded warehouses established under the laws and regulations relating to customs: *Provided*, That any article manufactured in a bonded warehouse established under the one hundred and sixty-eighth section of the internal revenue act of June thirtieth, eighteen hundred and sixty-four, and located in any of the Atlantic States, may be removed therefrom for transportation to a customs bonded warehouse at any port on the Pacific coast of the United States, for the purpose only of being exported therefrom, under such rules and regulations and upon the execution of such bonds or other security as the Secretary of the Treasury may prescribe.

SEC. 29. *And be it further enacted*, That there shall be appointed by the Secretary of the Treasury an inspector for every distillery established according to law, who shall take an oath faithfully to perform his duties; and who shall take an account of all the meal and vegetable productions

tilled spirits to make daily certain entries in books.

Penalty for neglecting or refusing so to do.

Rectifiers to mark name and place of business on certain packages.

Warehouse for storage of bonded spirits of their own manufacture to be provided by owners of distilleries;

when may be declared a bonded warehouse;

how to be used and kept.

Tax on spirits stored therein to be paid before removal.

Owners to execute a general bond;

penal sum; form and conditions; shall be changed or renewed.

General bonded warehouses for storage, &c. may be established.

Storekeepers and their pay.

Removal of articles manufactured in a bonded warehouse in the Atlantic States to a customs bonded warehouse on Pacific coast.

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An inspector to be appointed for every distillery.

Oath.

Duties of inspectors of distilleries.

Entry for spirits placed in such warehouse to be made, &c. by owners.

Certificate of inspector to be indorsed thereon.

Inspector not to engage in other business.

Pay to be assessed on distiller.

Fees for inspection.

When assistant inspector may be appointed.

Duties, pay, &c. of assistant inspector.

In absence of inspector and assistant, collector may designate a person to take temporary charge, &c.

Penalty for using, &c. materials for making spirits, for distilling or removing spirits in absence of acting, &c. inspector, without, &c.;

for removing spirituous, &c. liquors, &c. under wrong brand.

General inspectors of spirits to be appointed.

Fees.

or other substances to be used for the purpose of producing spirits, when put into the mash tub or otherwise used; and shall inspect, gauge, and prove all the spirits distilled, under such rules and regulations as may be prescribed by the commissioner of internal revenue; and shall take charge of the bonded warehouse established for the distillery in conformity to law; and such warehouse shall be in the joint custody of such inspector and the owner thereof, his agent or superintendent; and when any spirits shall be placed in such warehouse, an entry therefor, in such form as shall be prescribed by regulations, shall immediately be made and signed by the owner of said spirits, and shall have indorsed thereon a certificate of the inspector that the spirits mentioned have been duly inspected and received in said warehouse, and such entry and certificate shall be filed with the collector of the district; and said inspector shall not engage in any other business while employed as an inspector, and shall be paid five dollars per day for the time during which he is engaged; and the amount of compensation thus paid for inspection shall be assessed by the assessor upon the distiller, and returned to the collector monthly for collection; and in addition to the above compensation, such inspector shall receive such fee as may be prescribed by the commissioner of internal revenue for each and every proof gallon of distilled spirits inspected by him and removed to the bonded warehouse, which shall be paid by the distiller or owner of the spirits; but no compensation shall be allowed to such inspector for more than one inspection of such spirits. And in case the duties of such inspector shall be greater at any time than he can perform, upon the joint application of the inspector and owner of such distillery, the Secretary of the Treasury may appoint an assistant inspector; and upon the refusal of the distiller to join in such application, the collector shall decide as to such necessity; and such assistant inspector shall qualify in the same manner and be subject to the same penalties as the inspector, and he shall be paid in the same manner as the inspector, at a rate not exceeding the sum of three dollars per day while so employed; and in case of disagreement as to the necessity of retaining the services of such assistant, between the owner of the distillery and the inspector, the collector shall decide as to such necessity, and his decision in the matter shall be final. And in case of absence by sickness, or from any other cause, of such inspector or assistant, the collector may designate a person to take temporary charge of such distillery and warehouse, who shall during such absence perform the duties, receive the same rate of pay, and be paid in the same manner, as said inspector or assistant for the time he may be so employed: *Provided*, That the owner, agent or superintendent of any distillery who shall use, cause or permit to be used, any materials for the purpose of producing spirits, or shall distil or remove any spirits in the absence of the acting inspector or assistant, without permission granted by the collector of the district, shall forfeit and pay double the amount of taxes on the spirits so produced, distilled, or removed, and in addition thereto be liable to a fine of one thousand dollars, to be recovered in the manner provided for other penalties: *Provided further*, That any person who shall ship, transport or remove any spirituous or fermented liquors or wines, under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the casks or packages containing the same, or who shall cause the same to be done, shall forfeit the same, and shall, on conviction thereof, be subject to and pay a fine of five hundred dollars.

SEC. 30. *And be it further enacted*, That there shall be appointed by the Secretary of the Treasury, in every collection district where the same may be necessary, one or more general inspectors of spirits, who shall be entitled to receive such fee as may be prescribed by the commissioner of internal revenue for each and every proof gallon gauged and proved by him, to be paid by the owner of the spirits; and any owner, agent, or su-

perintendent of any distillery or bonded warehouse who shall refuse to admit an inspector upon such premises, so far as it may be necessary for the performance of his duties, or who shall obstruct an inspector in the performance of his duties, shall forfeit and pay the sum of five hundred dollars, to be recovered in the manner provided for recovery of other penalties imposed by this act.

Penalty upon owner, &c. of distillery, &c. for refusing to admit inspector on premises, &c.

SEC. 31. *And be it further enacted*, That every person making or distilling spirits, or owning any still, boiler, or other vessel used for the purpose of distilling spirits, or having such still, boiler, or other vessel so used under his superintendence, either as agent or owner, or using any such still, boiler, or other vessel, shall, from day to day, *to make, or cause to be made*, true and exact entry in a book, to be kept in such form as the commissioner of internal revenue may prescribe, of the number of pounds or gallons of materials used for the purpose of producing spirits, the number of gallons of spirits distilled, the number of gallons placed in warehouse, and the proof thereof, and the number of gallons sold, with the proof thereof, and the name and place of business or residence of the person to whom sold; and shall also on the first, eleventh, and twenty-first days of each month, or within five days thereafter, render to the assessor or assistant assessor an account in duplicate, taken from his books in the particulars hereinbefore recited, and verified by oath, of all the facts occurring after the last day of account preceding. The entries to be made in the books of the distiller as aforesaid shall, upon the several days when the returns are made, as provided, be verified by oath or affirmation of the person or persons by whom such entries shall have been made, in the presence of the assessor or assistant assessor, or other proper officer, who shall append thereto his certificate of the execution of the same. The owner, agent, or superintendent of any distillery shall, in case the original entries required to be made in his books by this act shall not have been made by himself, subjoin to the certificate of the person by whom they were made the following oath or affirmation: "I do certify that to the best of my knowledge and belief the foregoing entries are just and true, and that I have taken all the means in my power to make them so." Said book shall always be open for the inspection of any assessor, assistant assessor, collector, deputy collector, revenue agents, or inspectors, and any premises where distilling shall be carried on shall be open to said officers, or either of them, at all times. Any person who shall violate the provisions of this section shall for every such offence be liable to a fine of five hundred dollars. Any person who shall render an account under the provisions of this section which shall be false or fraudulent shall be liable to a fine of not less than five hundred dollars, or to imprisonment not less than six months.

Persons making or distilling spirits, or owning stills, &c. to make certain entries daily in a book;

to render under oath duplicate accounts to assessors tri-monthly.

Entries, how to be verified.

If entries in books are not made by owner, what certificate is to be made by owner.

Books and premises to be open to revenue officer for inspection.

Penalty for violation of the provisions of this section.

SEC. 32. *And be it further enacted*, That there shall be levied, collected, and paid on all distilled spirits upon which no tax has been paid according to law, a tax of two dollars on each and every proof gallon, to be paid by the distiller, owner, or any person having possession thereof; and the tax shall be a lien on the spirits distilled, on the distillery used for distilling the same, with the stills, vessels, fixtures, and tools therein, and on the interest of said distiller in the lot or tract of land whereon the said distillery is situated, from the time said spirits are distilled, until the said tax shall be paid: *Provided*, That the tax on all spirits shall be collected at no lower rate than the basis of first-proof, and shall be increased in proportion for any greater strength than the strength of first-proof.

Tax upon certain distilled spirits; to be paid by whom;

to be a lien;

to be collected at no lower rate than the basis of first proof.

SEC. 33. *And be it further enacted*, That proof spirits shall be held and taken to be that alcoholic liquor which contains one half its volume of alcohol of a specific gravity of seven thousand nine hundred and thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit; and the Secretary of the Treasury is hereby authorized to adopt, procure, and prescribe for use, such hydrometers, weighing and gauging instruments, meters or

Proof spirit to be what.

Instruments for weighing and gauging spirits.

Gallon to mean a gallon of first proof.

Receiving cisterns to be provided by owner of distillery, and how located;

how to be constructed;

to be under the lock and seal of the inspector.

Spirits conveyed to such cisterns, when to be drawn off, inspected, &c.

Locks and seals, how to be provided.

Penalty for knowingly, &c. using false weights, &c. or making false records; for tampering with locks or seals;

for using any substances for producing spirits before an account of them is registered.

Tax on wines, made in imitation of champagne and put up in bottles, &c.;

Tax to be paid by whom.

other means for ascertaining the strength and quantity of spirits subject to tax, and to prescribe such rules and regulations as he may deem necessary to insure a uniform and correct system of inspection, weighing, and gauging of spirits subject to tax throughout the United States. And in all sales of spirits hereafter made, where not otherwise specially agreed, a gallon shall be taken to be a gallon of first-proof, according to the foregoing standard set forth and declared for the inspection and gauging of spirits throughout the United States.

SEC. 34. *And be it further enacted*, That the owner, agent, or superintendent of any distillery established as hereinbefore provided, shall erect, in a room or building to be provided and used for that purpose, and for no other, two or more receiving cisterns, each to be at least of sufficient capacity to hold all the spirits distilled during the day of twenty-four hours, into one of which shall be conveyed each day all the spirits manufactured in said distillery during that day; and such cisterns shall be so constructed as to leave an open space of at least three feet between the tops thereof and the floor or roof above, and of not less than eighteen inches between the bottoms thereof and the floor below, and shall be separated in such a manner as will enable the inspector to pass around the same, and shall be connected with the outlet of the stills, boilers, or other vessels used for distilling, by suitable pipes or other apparatus so constructed as always to be exposed to the view of the inspector; such cisterns and the room in which they are contained shall be in charge of and under the lock and seal of the inspector; and on the third day after the spirits are conveyed into such cisterns the same shall be drawn off into casks or other packages, under the supervision of the inspector, and shall be immediately inspected, gauged, proved, and the casks or packages marked as herein provided, and be removed directly to the bonded warehouse before mentioned: *Provided*, That the spirits may be drawn off from said cisterns at any time previous to the third day, if so desired by the owner, agent, or superintendent of such distillery; and all locks and seals required by law shall be provided by the Secretary of the Treasury, at the expense of the owner of the distillery or warehouse, and the keys shall always be in the custody of the inspector, or assistant inspector, or the officer having charge of the distillery or warehouse.

SEC. 35. *And be it further enacted*, That any person who shall knowingly and fraudulently use any false weights or measures in ascertaining, weighing, or measuring the quantities of grain, meal, or vegetable materials, molasses, beer or other substances to be used for distillation, or who shall fraudulently make false record of the same, or who shall destroy or tamper with any locks or seal which may be placed on any cistern, rooms, or buildings, by the duly authorized officers of the revenue, shall on conviction thereof be imprisoned for the term of two years, and pay a fine not exceeding one thousand dollars, in the discretion of the court; and any person who shall use any molasses, beer, or other substances, whether fermented on the premises or elsewhere, for the purpose of producing spirits, before an account of the same shall have been registered in the proper record book provided for this purpose, shall forfeit and pay the sum of one thousand dollars for each and every offence so committed.

SEC. 36. *And be it further enacted*, That on all wines, liquors, or compounds known or denominated as wine, made in imitation of sparkling wine or champagne, and put up in bottles in imitation of any imported wine, or with the pretence of being imported wine, or wine of foreign growth or manufacture, there shall be levied and paid a tax of six dollars per dozen bottles, each bottle containing more than one pint, and not more than one quart, or three dollars per dozen bottles, each bottle containing not more than one pint; said tax to be paid by the manufacturer, owner, or person having possession thereof; and the returns, assessment, collec-

tion, and time of collection of the tax on such imitation wines shall be subject to the regulations of the commissioner of internal revenue. And any person who shall wilfully and knowingly sell or offer for sale any such wine made after this act takes effect, upon which the tax herein imposed has not been paid, or which has been fraudulently evaded, shall, upon conviction thereof, be subject to a penalty of one thousand dollars, or to imprisonment not exceeding one year, at the discretion of the court.

SEC. 37. *And be it further enacted*, That every owner, agent, or superintendent of any distillery shall, at all times when required, supply all assistance, lights, ladders, tools, staging, or other things necessary for inspecting the premises, stock, tools, and apparatus, belonging to such person, and shall open all doors, and open for examination all boxes, packages, and all casks, barrels, and other vessels not under the control of the inspector, when required so to do by any duly authorized officer, under a penalty of two hundred dollars for any refusal or neglect so to do.

SEC. 38. *And be it further enacted*, That all spirits distilled shall, before the same are removed to the bonded warehouse, be inspected, gauged, and proved by the inspector appointed for that purpose, after the same *has* [have] been drawn into casks or packages, each of not less capacity than twenty gallons, wine measure, and said inspector shall mark by cutting, branding, or otherwise upon the cask or package containing such spirits, in a manner to be prescribed by the commissioner of internal revenue, the quantity and proof of the contents of such cask or package, with the date of inspection, the collection district, the name of the inspector and the name of the distiller, and also the number of each cask in progressive order, such progressive number, for every distiller, to begin with number one with the first cask or package inspected after this act takes effect, and subsequently with number one with the first cask inspected on or after the first day of January, in each year, and no two or more casks warehoused in the same year by the same distiller shall be marked with the same number, and the officer in charge of the warehouse shall refuse to allow any cask of spirits to be taken out therefrom which has not marked thereon all the several particulars aforesaid, and in the manner required by law. And the inspector or other revenue officer in charge of any distillery shall make a prompt return of all spirits inspected by him in accordance with the provisions of law, and the name of the distiller, to the collector, and a duplicate thereof to the assessor of the district; and any person who shall fraudulently evade or attempt fraudulently to evade the payment of the tax upon any spirits distilled as aforesaid, by changing any marks upon any such cask or package, or in any other manner whatever, or who shall fraudulently put into such cask or package spirits of greater strength than that inspected and certified to by the inspector, shall pay double the amount of tax on each proof gallon of the quantity of such spirits, to be assessed and collected as in case of other taxes, and forfeit and pay as a penalty the additional sum of five hundred dollars for each cask or package so altered or changed, to be recovered as provided by law; and any inspector, assistant inspector, or officer temporarily in charge of any distillery, who shall conspire with the proprietor of any distillery or with any other person or persons to defraud the United States of the revenue or tax arising from distilled spirits or any part thereof, or who shall, with intent to defraud the United States of such revenue or tax, make any false or fraudulent entry, certificate, or return, or place any false or fraudulent mark upon any cask or package, shall, on conviction thereof, pay a fine of not less than one thousand nor more than five thousand dollars, and be imprisoned for not less than two nor more than five years; and any person who shall fraudulently use any cask or package bearing inspection marks, for the purpose of selling any other spirits than that so inspected, or for selling spirits of a quantity or quality different from that so inspected, shall be imprisoned for a term of six months or

Returns, assessments, &c.

Penalty for knowingly, &c. selling such wine on which tax has not been paid.

Owners, &c. of distilleries to give all assistance for inspecting their premises.

Distilled spirits to be inspected, &c. before removal to a bonded warehouse; to be drawn into casks, &c.; casks, &c. how to be branded.

No cask to be taken from warehouse, unless so branded.

Inspectors to make prompt returns.

Penalty for evading or attempting to evade payment of tax;

for putting in to casks spirits of greater strength;

upon inspector, &c. for conspiring to defraud the United States of the tax;

for making false entries or returns; for placing false marks upon casks, &c.; for using casks, &c. to sell spirits of a quantity or quality different from that inspected;

Penalty for knowingly purchasing or selling cask with inspection marks thereon, after, &c.;

for fraudulently using any inspector's brands, &c.;

or making or using counterfeit brands;

upon inspector, for negligent or improper use of his brands or plates;

or employing any servant of distiller, &c. to do his duty.

Penalty for adding ingredients to spirits to create a fictitious proof before tax is paid.

Distilled spirits, when inspected, &c. may be removed before tax is paid from bonded warehouse of distiller to any general bonded warehouse.

Bonds.

How branded.

Such spirits to be again inspected, &c.

Tax to be paid on what amount.

What allowance for loss.

Spirits to be subject to rules, &c.;

to be in charge of storekeeper.

shall pay a fine of one hundred dollars for each cask or package so used, in the discretion of the court; and any person who shall knowingly purchase or sell, with inspection marks thereon, any cask or package, after the same has been used for distilled spirits, or who shall fraudulently omit to erase or obliterate the inspection marks upon any such package or cask at the time of emptying the same, shall forfeit and pay the sum of two hundred dollars for every cask so purchased or used, or on which the marks are not so obliterated. And any person who shall, with fraudulent intent, use any inspector's brands or plates upon any cask or package containing or purporting to contain distilled spirits, or who shall knowingly make or use any counterfeit or spurious brand or plate upon any cask or package of distilled spirits, as aforesaid, shall be deemed guilty of a felony, and, on conviction thereof, shall pay a fine of one thousand dollars and be imprisoned for not less than two nor more than five years, and such cask or package, with its contents, shall be forfeited to the United States. And any inspector who shall permit any person not employed by him to use any of his brands or plates, or who shall negligently or wilfully leave such brands or plates where they can be used by any other person than those who may be in his employ, shall pay a fine not exceeding one thousand dollars, in the discretion of the court. And any inspector who shall employ any owner, agent, or superintendent of any distillery or warehouse under his supervision, or who shall employ any person in the service of such owner, agent, or superintendent, to use his plates or brands, or to discharge any of the duties imposed by law upon such inspector, shall, for each offence so committed, be subject to the fine last mentioned.

SEC. 39. *And be it further enacted*, That any person or persons who shall add, or cause to be added, any ingredients to any spirits before the tax imposed by law shall have been paid thereon, for the purpose of creating a fictitious proof, shall, upon conviction, be subject to a fine of one thousand dollars for each cask or package so adulterated, and be imprisoned for not less than one nor more than two years, in the discretion of the court, and such cask or package, with its contents, shall be forfeited to the United States.

SEC. 40. *And be it further enacted*, That any distilled spirits which have been inspected, gauged, proved, and marked by the inspector, according to the provisions of law, may be removed without the payment of tax from the bonded warehouse owned by the distiller, under such rules and regulations, and upon the execution of such transportation bonds or other security, as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe, and may be transported to any general bonded warehouse used for the storage of distilled spirits, established under the internal revenue laws and regulations, after having been branded as follows: "U. S. bonded warehouse, ——— district, ———: for transportation to ——— district, ———," (inserting in each case the number of the district and name of the State;) and immediately after the arrival of such distilled spirits at the district of the collector to which it has been transferred, it shall again be inspected and placed in a bonded warehouse; and the tax shall be paid on the difference between the number of proof gallons as stated in the bond given at the place of shipment and the number received at the warehouse, less the allowance for leakage as established by the regulations of the commissioner of internal revenue; and except for actual destruction by unavoidable accident, by the elements, or by the public enemy, no other allowance for loss shall be made; and any distilled spirits entered in a general bonded warehouse shall be subject to such rules and regulations as the commissioner of internal revenue may prescribe, and be chargeable with the same costs and expenses, in all respects, to which imported goods deposited in public store or bonded warehouse may be subject, and shall be

in charge of a storekeeper, to be appointed by the Secretary of the Treasury, who, with the owner and proprietor of the warehouse, shall have the joint custody of all the distilled spirits so stored in said warehouse, which shall be at the risk of the owner of the said spirits; and all labor on the same shall be performed by the owner or proprietor of the warehouse, under the supervision of the officer in charge of the same, and at the expense of said owner or proprietor. And the same fees shall be paid for the execution of all papers, instruments, and documents relating to the exportation of any spirits or other merchandise, as are charged to exporters for like services in the custom-house; and all expense and services required in the removal, transfer, and shipment of the same for export shall be paid by the owner thereof: *Provided*, That any distilled spirits may be withdrawn from a bonded warehouse, after having been inspected and gauged by the proper officer, and after the payment to the collector of internal revenue for the district in which the warehouse is situated of the tax imposed by law; and when so delivered, shall be branded "U. S. bonded warehouse, tax paid"; or may be removed from said warehouse without the payment of the tax for the purpose of being exported, or for the purpose of being rectified, or redistilled, canned, or put into other packages, after the quantity and proof of the spirits to be removed have been ascertained and inspected as required by law, under such rules and regulations and the execution of such bonds or other security as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe; but such removal of bonded spirits for the purpose of being rectified, redistilled, or put into other packages, shall be allowed but once on the same spirits; and all spirits so removed for redistillation, rectification, or change of package, shall be returned to the same warehouse, and shall again be inspected; and the tax shall be paid to the said collector on any deficiency or reduction beyond three per cent. And upon spirits removed under bond for the purpose of being redistilled or rectified, or change of package as aforesaid, and upon which an allowance shall have been made, as herein provided, the duty upon such spirits, in case such spirits shall be withdrawn for consumption or sale, or for transportation without being exported. And no drawback shall be allowed on any distilled spirits on which the tax has been paid; but nothing in this section shall be so construed as to prevent the manufacture in bond for exportation, without the payment of taxes, of medicines, preparations, compositions, perfumery, cosmetics, cordials, and other liquors manufactured wholly or in part of domestic spirits, as provided by law.

SEC. 41. *And be it further enacted*, That any spirits or other merchandise may be removed from bonded warehouse, for the purpose of being exported, upon the order of the superintendent of exports for the port whence the spirits are to be exported; and such order shall state the port to which such spirits are to be shipped, and the name of the vessel, and also the number of proof gallons, and the marks of the packages or casks; and such spirits or other merchandise shall be branded "U. S. bonded warehouse, for export," and shall be put on board of the vessel in or by which they are to be exported, by an officer under direction of the superintendent of exports, and placed under the supervision of an officer of the customs, after a bond with good and sufficient sureties shall have been given in such form and containing such conditions as the commissioner of internal revenue, subject to the approval of the Secretary of the Treasury, may prescribe. And such bond shall be cancelled upon the presentation of the proper certificate that said spirits have been landed at the port named in said bond, or at any other port without the jurisdiction of the United States, or upon satisfactory proof that after shipment the spirits have been lost. And at any port where there shall be no superintendent of exports, all the duties and services required of superintendents of ex-

Fees for execution of papers, &c.

Expenses, &c. to be paid by owner.

Distilled spirits, how may be withdrawn from bonded warehouse, &c.;

for exportation, rectification, &c.

Removal for rectification to be allowed but once for the same spirits.

Spirits removed to be returned.

Tax to be paid on what deficiency.

No drawback on distilled spirits on which tax has been paid.

Spirits may be removed from bonded warehouse for exportation.

Proceedings in such cases.

Bond.

When bond may be cancelled.

Where there is no superintendent

dent of exports, collector to act as such. ports and drawback shall devolve upon and be performed by the collector of internal revenue designated to have charge of exportations.

Penalty for making any false document, &c. to evade the payment of tax, or in fraud of the internal revenue laws. SEC. 42. *And be it further enacted*, That any person or persons who shall execute or sign any false or fraudulent bond, permit, entry, or other document, required by law or regulations; or who shall fraudulently procure the same to be executed; or who shall connive at the execution thereof, by which the payment of any internal revenue tax shall be evaded, or attempted to be evaded, or which shall be executed, or purport to be executed, for the purpose of placing in, or withdrawing from, any bonded warehouse any spirits or other merchandise for any purpose whatever, or which shall in any way be used or attempted to be used in fraud of the internal revenue laws and regulations, in conviction thereof, shall forfeit all property in such spirits or other merchandise to which such instrument relates, or purports to relate, and shall be imprisoned for a term not less than one nor more than five years, at the discretion of the court.

Forfeiture.

Imprisonment.

Owners of spirits intended for sale, manufactured before this act takes effect, to notify collector to gauge and prove them.

Casks, &c. how to be marked.

SEC. 43. *And be it further enacted*, That any person owning any distilled spirits intended for sale, manufactured prior to the time when this act takes effect, exceeding fifty gallons altogether, shall notify in writing the collector of the district wherein such spirits may be stored, held, or owned, within sixty days thereafter, to gauge and prove the same; and upon the receipt of said notice the collector shall cause said spirits to be gauged and proved, and the casks or packages containing the same to be marked by the inspector in the following manner:—

Manufactured prior to
_____, 186—.

_____, Inspector,
____ District.

Inspected _____, 186—.

Such spirits to be gauged only in barrels, &c.

Collector to send commissioner copy of return.

Penalty for refusal to notify collector.

Spirits on which tax is paid not to remain upon distiller's premises.

Absence of inspector's brand to be cause for forfeiture.

Changing the character of spirits after, &c. and placing them in other packages without, &c. to work forfeiture of spirits.

And no spirits so manufactured, held, or owned, shall be gauged, proved, or marked in any cistern or other stationary vessel, but shall be gauged, proved and marked only in barrels, casks, or packages in which the same shall have been placed; and the quantity held in leach-tubs shall be estimated by the inspector, and when drawn off into packages, shall be gauged and marked as herein provided. Upon the receipt of the return the collector shall immediately forward to the commissioner of internal revenue a copy thereof; and any person holding or owning such spirits, and refusing or neglecting to notify the collector, as in this section provided, shall forfeit the same and pay the sum of five hundred dollars, to be collected in the manner provided by law for the collection of other penalties. No distilled spirits on which the tax has been paid shall be stored or allowed to remain on any distillery premises, under the penalty of a forfeiture of all spirits so found. And all spirits, after being removed from the original package in which they were inspected and gauged into other packages for purposes of rectification, redistillation or change of proof, shall again be inspected and gauged and properly branded; and the absence of an inspector's brand shall be taken and held as sufficient cause or evidence upon which any spirits so found may be forfeited. And any person who shall change the character of any spirits, either by rectification, mixing, or otherwise, after they have been duly inspected and marked, as hereinbefore provided, and place the same in other packages for consumption or sale without first stamping or branding upon such package, in such manner as the commissioner of internal revenue may prescribe, the word "Rectified," shall forfeit such spirits, and the same may be seized by the collector or deputy collector of the district where such spirits may be found, or by such other collector or deputy col-

lector as may be specially authorized by the commissioner of internal revenue for that purpose. And any person who shall so brand any package containing spirits, knowing the taxes thereon have not been paid, shall forfeit such spirits, and shall be deemed guilty of a misdemeanor, and upon conviction shall be imprisoned for not more than two years, at the discretion of the court.

Branding packages, knowing the taxes not to be paid, how punished.

SEC. 44. *And be it further enacted*, That all boilers, stills, or other vessels, tools, and implements, used in distilling or rectifying, and forfeited under any of the provisions of this act, and all condemned material, together with any engine or other machinery connected therewith, and all empty barrels, and all grain or other material suitable for distillation, shall, under the direction of the court in which the forfeiture is recovered, be sold at public auction, and the proceeds thereof, after deducting the expenses of sale, shall be disposed of according to law. And all spirits or spirituous liquors which may be forfeited under the provisions of this act, unless herein otherwise provided, shall be disposed of by the commissioner of internal revenue as the Secretary of the Treasury may direct. And the commissioner of internal revenue is hereby authorized, with the approval of the Secretary of the Treasury, to exempt distillers of brandy from apples, peaches, or grapes exclusively, from such of the provisions of this act relating to the manufacture of spirits as in his judgment may seem expedient. And any word or words in any and all parts of this act, and of all acts to which this act is additional, indicating or referring to person or persons, shall be taken to include partnerships, firms, associations, bodies corporate or politic, or any other party whatsoever, when not otherwise designated, or manifestly incompatible with the intent thereof.

Forfeited stills, implements, &c. and condemned material, to be sold at public auction.

Forfeited liquors, how disposed of.

Distillers of brandy from apples, grapes, &c. may be exempted, &c.

The word "person" to include what.

SEC. 45. *And be it further enacted*, That any person who shall remove any distilled spirits from the place where the same are distilled, otherwise than into a bonded warehouse as provided by law, shall be liable to a fine of double the amount of the tax imposed thereon, or to imprisonment for not less than three months. All distilled spirits so removed, and all distilled spirits found elsewhere than in a bonded warehouse, not having been removed from such warehouse according to law, and the tax imposed by law on the same not having been paid, shall be forfeited to the United States, or may, immediately upon discovery, be seized, and, after assessment of the tax thereon, may be sold by the collector for the tax and expenses of seizure and sale. And proceedings upon such seizure shall be according to existing provisions of law in relation to distraint, and in conformity with any regulations which shall be made by the commissioner of internal revenue. And the burden of proof shall be upon the claimant of such spirits to show that the requirements of law in regard to the same have been complied with. And any person who shall aid or abet in the removal of distilled spirits from any distillery otherwise than to a bonded warehouse as provided by law, or shall aid in the concealment of such spirits so removed, shall be liable, on conviction thereof, to a fine of not less than two hundred nor more than one thousand dollars, or to imprisonment for not less than three nor more than twelve months. And any person who shall remove, or shall aid or abet in the removal of any distilled spirits from any bonded warehouse, other than is allowed by law, shall be liable to a fine of not more than one thousand dollars, or to imprisonment for not less than three nor more than twelve months.

Penalty for removing spirits from places where distilled, except to a bonded warehouse.

Spirits so removed when tax is not paid, to be forfeited; and may be seized and sold.

Proceedings in case of seizure.

Burden of proof upon claimants.

Aiding in the unlawful removal of distilled spirits how, punished.

SEC. 46. *And be it further enacted*, That every brewer shall, before commencing or continuing business after this act takes effect, file with the assistant assessor of the assessment district in which he shall design to carry on his business, a notice in writing, stating therein the name of the person, company, corporation, or firm, and the names of the members of any such company or firm, together with the place or places of residence of such person or persons, and a description of the premises on which the brewery is situated, and of his or their title thereto, and the name or

Brewers, before commencing business, to give notice to assessors.

Notice to state what.

names of the owner or owners thereof; and also the whole quantity of malt liquors annually made and sold or removed from the brewery for two years next preceding the date of filing such notice.

Brewers to
give bond;
in what
amount;
to be renewed
annually;
Conditions.

SEC. 47. *And be it further enacted*, That every brewer shall execute a bond to the United States, to be approved by the collector of the district, in a sum equal to twice the amount of tax which, in the opinion of the assessor, said brewer will be liable to pay during any one month, which bond shall be renewed on the first day of May in each year, and shall be conditioned that he will pay, or cause to be paid, as herein provided, the tax required by law on all beer, lager beer, ale, porter, and other fermented liquors aforesaid made by him, or for him, before the same is sold or removed for consumption or sale, except as hereinafter provided; and that he will keep, or cause to be kept, a book in the manner and for the purposes hereinafter specified, which shall be open to inspection by the proper officers as by law required, and that he will in all respects faithfully comply, without fraud or evasion, with all requirements of law relating to the manufacture and sale of any malt liquors before mentioned: *Provided*, That no brewer shall be required to pay a special tax as a wholesale dealer, by reason of selling at wholesale, at a place other than his brewery, malt liquors manufactured by him.

Proviso.

Tax on beer,
lager beer, ale,
porter, &c.

SEC. 48. *And be it further enacted*, That there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, a tax of one dollar for every barrel containing not more than thirty-one gallons; and at a like rate for any other quantity or for any fractional part of a barrel which shall be brewed or manufactured and sold, or removed for consumption or sale, within the United States; which tax shall be paid by the owner, agent or superintendent of the brewery or premises in which such fermented liquors shall be made, in the manner and at the time hereinafter specified: *Provided*, That fractional parts of a barrel shall be halves, quarters, sixths, and eighths; and any fractional part of a barrel containing less than one eighth shall be accounted one eighth; more than one eighth and not more than one sixth, shall be accounted one sixth; more than one sixth and not more than one quarter, shall be accounted one quarter; more than one quarter and not more than one half, shall be accounted one half; more than one half and not more than one barrel, shall be accounted one barrel; and more than one barrel and not more than sixty-three gallons, shall be accounted two barrels, or a hogshead.

By whom to
be paid.

Fractional
parts of a bar-
rel, and how
accounted.

Brewers, &c.
manufacturing
beer, lager beer,
ale, &c., to make,
from day to day,
entries in a book
of kind and
quantity of
liquors made,
&c.;

SEC. 49. *And be it further enacted*, That every person owning or occupying any brewery or premises used, or intended to be used, for the purpose of brewing or making such fermented liquors, or who shall have such premises under his control or superintendence as agent for the owner or occupant, or shall have in his possession or custody any brewing materials, utensils, or apparatus, used or intended to be used on said premises in the manufacture of beer, lager beer, ale, porter, or other similar fermented liquors, either as owner, agent, or superintendent, shall, from day to day, enter or cause to be entered, in a book to be kept by him for that purpose, the kind of such fermented liquors, the description of packages, and number of barrels and fractional parts of barrels of fermented liquors made, and also the quantity sold or removed for consumption or sale, and shall also, from day to day, enter or cause to be entered, in a separate book to be kept by him for that purpose, on [an] account of all material by him purchased for the purpose of producing such fermented liquors, including grain and malt; and shall render to said assessor or assistant assessor, on or before the tenth day of each month, a true statement in writing, taken from his books, of the whole quantity or number of barrels removed for consumption or sale, during the preceding month; and shall verify, or cause to be verified, the said statement, and the facts therein

to enter, in a
separate book,
an account of
material pur-
chased;

to render
monthly state-
ment to assessor
under oath, &c.;

set forth, by oath or affirmation to be taken before the assessor or assistant assessor of the district, according to the form required by law, and shall immediately forward to the collector of the district a duplicate of said statement, duly certified by the assessor or assistant assessor. And said books shall be open at all times for the inspection of any assessor or assistant assessor, collector, deputy collector, inspector, or revenue agent, who may take memorandums and transcripts therefrom.

SEC. 50. *And be it further enacted*, That the entries made in such books shall, on or before the tenth day of each month, be verified by the oath or affirmation of the person or persons by whom such entries shall have been made, which oath or affirmation shall be written in the book at the end of such entries, and be certified by the officer administering the same, and shall be in form as follows: "I do swear (or affirm) that the foregoing entries were made by me, and that they state truly, according to the best of my knowledge and belief, the whole quantity of fermented liquors brewed, the quantity sold, and the quantity removed from the brewery owned by — in the county of —. And further, that I have no knowledge of any matter or thing, required by law to be stated in said entries, which has been omitted therefrom." And the owner, agent, or superintendent aforesaid, shall also, in case the original entries made in his books shall not have been made by himself, subjoin thereto the following oath or affirmation, to be taken in manner as aforesaid: "I do swear (or affirm) that, to the best of my knowledge and belief, the foregoing entries fully set forth all the matters therein required by law, and that the same are just and true, and that I have taken all the means in my power to make them so."

SEC. 51. *And be it further enacted*, That the owner, agent, or superintendent of any brewery, vessels, or utensils used in making fermented liquors, who shall evade or attempt to evade the payment of the tax thereon, or fraudulently neglect or refuse to make true and exact entry and report of the same in the manner by law required, or to do or cause to be done any of the things by law required to be done by him as aforesaid, or who shall intentionally make false entry in said book or in said statement, or knowingly allow or procure the same to be done, shall forfeit, for every such offence, all the liquors made by him or for him, and all the vessels, utensils, and apparatus used in making the same, and be liable to a penalty of not less than five hundred nor more than one thousand dollars, to be recovered with costs of suit, and shall be deemed guilty of a misdemeanor, and shall be imprisoned for a term not exceeding one year. And any brewer who shall neglect to keep the books, or refuse to furnish the account and duplicate thereof as provided by law, or who shall refuse to permit the proper officer to examine the books in the manner provided, shall, for every such refusal or neglect, forfeit and pay the sum of three hundred dollars.

SEC. 52. *And be it further enacted*, That the commissioner of internal revenue shall cause to be prepared, for the payment of the tax aforesaid, suitable stamps denoting the amount of tax required to be paid on the hogshead, barrels, and halves, quarters, sixths, and eighths of a barrel of such fermented liquors, and shall furnish the same to the collectors of internal revenue, who shall each be required to keep on hand, at all times, a supply equal in amount to two months' sales thereof, if there shall be any brewery or brewery warehouse in his district, and the same shall be sold by such collectors only to the brewers of their districts, respectively; and such collectors shall keep an account of the number and values of the stamps sold by them to each of such brewers, respectively; and the commissioner of internal revenue shall allow upon all sales of such stamps to any brewer, and by him used in his business, a *deduction* [deduction] of seven and one half per centum. And the amount paid into the treasury by any collector on account of the sale of such stamps to brewers shall be

Brewers, &c. to send duplicate of statement to collector.

Books to be open to inspection of revenue officers.

Entries in books to be verified monthly upon oath.

Form of oath.

Oath taken by owner, if original entries are not made by him.

Penalty for evading or attempting to evade payment of tax; for fraudulently neglecting, &c. to make entry and report; for intentionally making a false entry. Forfeiture.

Fine.

Imprisonment. Penalty for neglecting to keep books, or furnish accounts, or for not permitting books to be examined.

Stamps to be prepared denoting amount of tax to be paid on barrels, &c.: to be furnished to collectors, who shall keep two months' supply on hand; to be sold only to brewers.

Account to be kept of stamps sold.

Deduction on sales to brewers.

Commissions of collector and

assessor on account of sales of stamps.

Brewers to obtain from collectors the proper stamps, and affix upon the tap of each barrel, &c. a stamp denoting the tax thereon.

Mode of affixing the stamp.

Stamps to be cancelled, and how.

Penalty for not affixing or not cancelling stamp, or affixing fraudulent ones.

Fine and imprisonment.

Penalty for selling, purchasing, receiving, &c. fermented liquor in any vessel from a brewery, &c. without a stamp, or with a false stamp, &c.:

for withdrawing such liquor from the vessel, without defacing the stamp, or from a vessel not stamped;

for making, selling, or using false stamps or dies, &c.

Brewers selling at retail from brewery to affix and cancel proper stamps;

to keep account of quantity sold;

to report under oath to assessor monthly, and to send duplicate to collector;

may remove certain malt liquors in certain quantities from brewery to warehouse without stamps.

Stamps to be affixed when liquor is sold or removed.

included in estimating the commissions of such collector and of the assessor of the same district.

SEC. 53. *And be it further enacted*, That every brewer shall obtain, from the collector of the district in which his brewery or brewery warehouse may be situated, and not otherwise, unless said collector shall fail to furnish the same upon application to him, the proper stamp or stamps, and shall affix upon the spigot-hole or tap (of which there shall be but one) of each and every hogshead, barrel, keg, or other receptacle, in which any fermented liquor shall be contained, when sold or removed from such brewery or warehouse, a stamp denoting the amount of the tax required upon such fermented liquor, in such a way that the said stamp or stamps will be destroyed upon the withdrawal of the liquor from such hogshead, barrel, keg, or other vessel, or upon the introduction of a faucet or other instrument for that purpose; and shall also, at the time of affixing such stamp or stamps as aforesaid, cancel the same by writing or imprinting thereon the name of the person, firm, or corporation by whom such liquor may have been made, or the initial letters thereof, and the date when cancelled. Every brewer who shall refuse or neglect to affix and cancel the stamp or stamps required by law in the manner aforesaid, or who shall affix a false or fraudulent stamp thereto, or knowingly permit the same to be done, shall be liable to pay a penalty of one hundred dollars for each barrel or package on which such omission or fraud occurs, and shall be liable to imprisonment for not more than one year.

SEC. 54. *And be it further enacted*, That any brewer, carman, agent for transportation, or other person, who shall sell, remove, receive, or purchase, or in any way aid in the sale, removal, receipt, or purchase of any fermented liquor contained in any hogshead, barrel, keg, or other vessel from any brewery or brewery warehouse, upon which the stamp required by law shall not have been affixed, or on which a false or fraudulent stamp is affixed, with knowledge that it is such, or on which a stamp once cancelled is used a second time; and any retail dealer or other person, who shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel containing the same, without destroying or defacing the stamp affixed upon the same, or shall withdraw or aid in the withdrawal of any fermented liquor from any hogshead, barrel, keg, or other vessel, upon which the proper stamp shall not have been affixed, or on which a false or fraudulent stamp is affixed, shall be liable to a fine of one hundred dollars, and to imprisonment not more than one year. Every person who shall make, sell, or use any false or counterfeit stamp or die for printing or making stamps which shall be in imitation of or purport to be a lawful stamp or die of the kind before mentioned, or who shall procure the same to be done, shall be imprisoned for not less than one nor more than five years: *Provided*, That every brewer, who sells fermented liquor at retail at the brewery or other place where the same is made, shall affix and cancel the proper stamp or stamps upon the hogsheads, barrels, kegs, or other vessels in which the same is contained, and shall keep an account of the quantity so sold by him, and of the number and size of the hogsheads, barrels, kegs, or other vessels in which the same may have been contained, and shall make a report thereof, verified by oath, monthly to the assessor, and forward a duplicate of same to the collector of the district; *And provided further*, That brewers may remove malt liquors of their own manufacture from their breweries or other places of manufacture to a warehouse or other place of storage occupied by them within the same district in quantities of not less than six barrels in one vessel without affixing the proper stamp or stamps, but shall affix the same upon such liquor when sold or removed from such warehouse or other place of storage. But when the manufacturer of any ale or porter manufactures the same in one collection district, and owns, occupies, or hires a depot or warehouse for the storage and sale of such ale or porter

in another collection district, he may, without affixing the stamps on the casks at the brewery, as herein provided for, remove or transport, or cause to be removed or transported, said ale or porter, in quantities not less than one hundred barrels at a time, under a permit from the collector of the district wherein said ale or porter is manufactured, to said depot or warehouse, but to no other place, under such rules and regulations as the commissioner of internal revenue may prescribe, and thereafter the manufacturer of the ale or porter so removed shall stamp the same when it leaves such depot or warehouse, in the same manner and under the same penalties and liabilities as when stamped at the brewery as herein provided; and the collector of the district in which such depot or warehouse is situated shall furnish the manufacturer with the stamps for stamping the same, as if the said ale or porter had been manufactured in his district: *And provided further*, That where fermented liquor has become sour or damaged, so as to be incapable of use as such, brewers may sell the same for manufacturing purposes, and may remove the same to places where it may be used for such purposes, in casks, or other vessels, unlike those ordinarily used for fermented liquors, containing respectively not less than one barrel each, and having the nature of their contents marked upon them, without affixing thereon the stamp or stamps required.

When and how ale or porter may be removed from district where manufactured to warehouse in another district, without having stamps affixed.

Fermented liquors, sour and unfit for use, may be sold for manufacturing purposes, &c. without stamps affixed.

SEC. 55. *And be it further enacted*, That every brewer shall mark or cause to be marked, in such manner as shall be prescribed by the commissioner of internal revenue, upon every hogshead, barrel, keg, or other vessel containing the fermented liquor made by him, before it is sold or removed from the brewery, or brewery warehouse, or other place of manufacture, the name of the person, firm or corporation by whom such liquor was manufactured, and the place where the same shall have been made; and any person other than the owner thereof, or his agent, who shall intentionally remove or deface such mark therefrom, shall be liable to a penalty of fifty dollars for each cask from which the mark is so removed or defaced.

Every barrel, &c. of fermented liquor to be marked before it is sold or removed from brewery.

Penalty for purposely removing or defacing such marks.

SEC. 56. *And be it further enacted*, That every person other than the purchaser or owner of any fermented liquor, or person acting on his behalf, or as his agent, who shall intentionally remove or deface the stamp affixed upon the hogshead, barrel, keg, or other vessel, in which the same may be contained, shall be liable to a fine of fifty dollars for each such vessel from which the stamp is so removed or defaced, and to render compensation to such purchaser or owner for all damages sustained by him therefrom.

Penalty, if any person other than owner or purchaser intentionally removes or defaces stamp on any barrel, &c.

SEC. 57. *And be it further enacted*, That the ownership or possession by any person of any fermented liquor after its sale or removal from brewery or warehouse, or other place where it was made, upon which the tax required shall not have been paid, shall render the same liable to seizure wherever found, and to forfeiture; and that the want of the proper stamp or stamps upon any hogshead, barrel, keg, or other vessel in which fermented liquor may be contained after its sale or removal from the brewery where the same was made, or warehouse as aforesaid, shall be notice to all persons that the tax has not been paid thereon, and shall be prima facie evidence of the non-payment thereof.

Possession of fermented liquor after removal from warehouse, on which tax is not paid, to be cause of forfeiture.

Absence of stamps on barrel, &c. to be notice that tax is not paid.

SEC. 58. *And be it further enacted*, That every person who shall withdraw any fermented liquor from any hogshead, barrel, keg, or other vessel upon which the proper stamp or stamps shall not have been affixed, for the purpose of bottling the same, or who shall carry on, or attempt to carry on, the business of bottling fermented liquor in any brewery or other place in which fermented liquor is made, or upon any premises having communication with such brewery or any warehouse, shall be liable to a fine of five hundred dollars, and the property used in such bottling or business shall be liable to forfeiture.

Withdrawing fermented liquor for bottling, from any vessel not stamped, or bottling fermented liquor in the place where it is made, &c. how punished.

SEC. 59. *And be it further enacted*, That any inspector or revenue

Penalty upon

revenue officers for becoming or being interested in the manufacture of tobacco, &c. or in production of spirits or fermented liquors.

Being interested when act takes effect, and failing to divest of interest, &c.

Internal revenue officers paid by fees, &c. to make statement under oath of entire amount of fees, &c.

Penalty for knowingly making false statement;

for neglecting to render statement when required.

When law relating to distilled spirits and fermented liquors takes effect.

Penalty for giving or offering, &c. any bribe, or present, &c. to any United States officer or official, with intent to influence his action on anything before him, or to cause him to commit any fraud upon the revenue;

or for accepting or receiving the same.

Fine.

Imprisonment.

agent who shall hereafter become interested, directly or indirectly, in the manufacture of tobacco, snuff, or cigars, and any assessor, collector, inspector, or revenue agent, who shall hereafter become interested, directly or indirectly, in the production, by distillation, or by other process, of spirits, ale, or beer, or other fermented liquors, shall, on conviction before any court of the United States of competent jurisdiction, pay a penalty not less than five hundred dollars, nor more than five thousand dollars, in the discretion of the court. And any such officer interested as aforesaid in any such manufacture at the time this act takes effect, who shall fail to divest himself of such interest within sixty days thereafter, shall be held and declared to have become so interested after this act takes effect.

SEC. 60. *And be it further enacted*, That every internal revenue officer, whose payment, charges, salary, or compensation shall be composed, either wholly or in part, of fees, commissions, allowances, or rewards, from whatever source derived, shall be required to render to the commissioner of internal revenue, under regulations to be approved by the Secretary of the Treasury, a statement under oath setting forth the entire amount of such fees, commissions, emoluments or rewards of whatever nature, or from whatever source received, during the time for which said statement is rendered; and any false statement knowingly and wilfully rendered under the requirements of this section, or regulations established in accordance therewith, shall be deemed wilful perjury, and punished on conviction thereof, as provided in section forty-two of the act of June thirty, eighteen hundred and sixty-four, to which this act is an amendment; and any neglect or omission to render such statement when required shall be punished on conviction thereof by a fine of not less than two hundred dollars nor more than five hundred dollars, in the discretion of the court.

SEC. 61. *And be it further enacted*, That so much of this act as changes the existing law relating to distilled spirits and fermented liquors shall take effect from and after the first day of September, eighteen hundred and sixty-six.

SEC. 62. *And be it further enacted*, That if any person or persons shall, directly or indirectly, promise, offer, or give, or cause or procure to be promised, offered, or given, any money, goods, right in action, bribe, present or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever to any officer of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any department of the government of the United States, after the passage of this act, with intent to influence his decision or action on any question, matter, cause, or thing which may then be pending, or may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence any such officer or person to commit, or aid or abet in committing, any fraud on the revenue of the United States, or to connive at or collude in, or to allow or permit, or make opportunity for the commission of any such fraud, and shall be thereof convicted, such person or persons so offering, promising, or giving, or causing, or procuring to be promised, offered, or given any such money, goods, right in action, bribe, present, or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or other valuable thing whatever, and the officer or person who shall in anywise accept or receive the same, or any part respectively shall be liable to indictment in any court of the United States having jurisdiction, and shall, upon conviction thereof, be fined not exceeding three times the amount so offered, promised, given, accepted, or received, and imprisoned not exceeding three years; and the person con-

victed of so accepting or receiving the same, or any part thereof, if an officer or person holding any such place of trust or profit, shall forfeit his office or place; and any person so convicted under this section shall forever be disqualified to hold any office of honor, trust or profit under the United States.

Incapacitated from holding office.

SEC. 63. *And be it further enacted*, That hereafter in all cases of seizure of any goods, wares, or merchandise which shall, in the opinion of the collector or deputy collector making such seizure, be of the appraised value of three hundred dollars or less, and which shall have been so seized as being subject to forfeiture under any of the provisions of this act, or of any act to which this is an amendment, excepting in cases otherwise provided, the said collector or deputy collector shall proceed as follows, that is to say: He shall cause a list containing a particular description of the goods, wares, or merchandise seized to be prepared in duplicate, and an appraisement of the same to be made by three sworn appraisers, to be selected by him for said purpose, who shall be respectable and disinterest[ed] citizens of the United States residing within the collection district wherein the seizure was made. The aforesaid list and appraisement shall be properly attested by such collector or deputy collector and the persons making the appraisement, for which service said appraisers shall be allowed the sum of one dollar and fifty cents per day each, to be paid as other necessary charges of collectors according to law. If the said goods shall be found by such appraisers to be of the value of three hundred dollars or less, the said collector or deputy collector shall publish a notice, for the space of three weeks, in some newspaper of the district where the seizure was made, describing the articles and stating the time, place, and cause of their seizure, and requiring any person or persons claiming them to appear and make such claim within thirty days from the date of the first publication of such notice: *Provided*, That any person or persons claiming the goods, wares, or merchandise, so seized, within the time specified in the notice, may file with such collector or deputy collector a claim, stating his or their interest in the articles seized, and may execute a bond to the United States in the penal sum of two hundred and fifty dollars, with sureties, to be approved by said collector or deputy collector, conditioned that, in case of condemnation of the articles so seized, the obligors will pay all the costs and expenses of the proceedings, to obtain such condemnation; and upon the delivery of such bond to the collector or deputy collector, he shall transmit the same, with the duplicate list or description of the goods seized, to the United States district attorney for the district, who shall proceed thereon in the ordinary manner prescribed by law: *And provided also*, That if there shall be no claim interposed, and no bond given within the time above specified, the collector or deputy collector, as the case may be, shall give ten days' notice of the sale of the goods, wares, or merchandise, by publication; and at the time and place specified in said notice, shall sell the article so seized at public auction, and after deducting the expense of appraisement and sale he shall deposit the proceeds to the credit of the Secretary of the Treasury. And within one year after the sale of any goods, wares, or merchandise, as aforesaid, any person or persons claiming to be interested in the goods, wares, or merchandise so sold may apply to the Secretary of the Treasury for a remission of the forfeiture thereof, or any of them, and a restoration of the proceeds of the said sale, which may be granted by the said Secretary upon satisfactory proof, to be furnished in such manner as he shall prescribe: *Provided*, That it shall be satisfactorily shown that the applicant, at the time of the seizure and sale of the goods in question, and during the intervening time, was absent out of the United States, or in such circumstances as prevented him from knowing of such seizure, and that he did not know of the same; and also that the said forfeiture was incurred without wilful negligence or any intention of fraud on the part of the

Proceedings in cases of seizure of goods as subject to forfeiture.

List in duplicate.

Appraisement.

Pay of appraisers.

If goods seized are found to be of the value of \$300 or less, collector to publish notice.

Notice to state what.

Claimants of the goods seized may file claim and execute bond.

Conditions of bond.

Collector to send bond and duplicate list to the United States district attorney, who shall proceed thereon.

If there is no claim and no bond, collector to give ten days' notice of sale of goods.

Sale at public auction.

Proceeds of sale.

Within year of sale, application may be made for remission of forfeiture, and restoration of proceeds of sale.

Applicant to prove what.

If no application is made within one year, proceeds of sale to be distributed.

Reorganization of office of commissioner of internal revenue.

Commissioner.

Deputy commissioner.

Additional officers and clerks.

Two deputy commissioners.

Solicitor.

Heads of divisions.

Clerks.

Messengers.

Assistant messengers and laborers.

Appropriation.

Official communications between certain revenue officers to be free of postage.

Special commissioner of the revenue.

Term of office.

Duties.

To report from time to time modifications of rates of taxation, &c.

Special commissioner may examine books,

owner or owners of such goods. If no application for such restoration be made within one year, as hereinbefore prescribed, then, at the expiration of the said time, the Secretary of the Treasury shall cause the proceeds of the sale of the said goods, wares, or merchandise to be distributed according to law, as in the case of goods, wares, or merchandise condemned and sold pursuant to the decree of a competent court.

SEC. 64. *And be it further enacted*, That the office of the commissioner of internal revenue be reorganized so as to include —

One commissioner of internal revenue, with a salary of six thousand dollars ; and

One deputy commissioner, with a salary of three thousand five hundred dollars ;

Which offices are already created, and the duties thereof defined by law ; and to authorize, under the direction of the Secretary of the Treasury, the employment of the following additional officers and clerks, and with the salaries hereinafter specified, namely :

Two deputy commissioners, each with a salary of three thousand dollars ;

One solicitor, with a salary of four thousand dollars ;

Seven heads of divisions, each with a salary of two thousand five hundred dollars ;

Thirty-four clerks of class four ; forty-five clerks of class three ; fifty clerks of class two ; and thirty-seven clerks of class one ;

Fifty-five female clerks ; five messengers ;

Three assistant messengers, and fifteen laborers ; and a sum sufficient to pay the additional salaries of officers, clerks, and employes herein authorized is hereby appropriated out of any money in the treasury not otherwise appropriated ; and this section shall take effect from and after the thirtieth day of June, eighteen hundred and sixty-six.

SEC. 65. *And be it further enacted*, That all official communications made by assessors to collectors, assessors to assessors, or by collectors to collectors, or by collectors to assessors, or by assessors to assistant assessors, or by assistant assessors to assessors, or by collectors to their deputies, or by deputy collectors to collectors, may be officially franked by the writers thereof, and shall, when so franked, be transmitted by mail free of postage.

SEC. 66. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to appoint an officer in his department who shall be styled "special commissioner of the revenue," whose office shall terminate in four years from the thirtieth day of June, eighteen hundred and sixty-six. It shall be the duty of the special commissioner of the revenue to inquire into all the sources of national revenue, and the best methods of collecting the revenue ; the relations of foreign trade to domestic industry ; the mutual adjustment of the systems of taxation by customs and excise, with the view of insuring the requisite revenue with the least disturbance or inconvenience to the progress of industry and the development of the resources of the country ; and to inquire, from time to time, under the direction of the Secretary of the Treasury, into the manner in which officers charged with the administration and collection of the revenues perform their duties. And the said special commissioner of the revenue shall from time to time report, through the Secretary of the Treasury, to Congress, either in the form of a bill or otherwise, such modifications of the rates of taxation or of the methods of collecting the revenues, and such other facts pertaining to the trade, industry, commerce, or taxation of the country, as he may find, by actual observation of the operation of the law, to be conducive to the public interest ; and, in order to enable the special commissioner of the revenue to properly conduct his investigations, he is hereby empowered to examine the books, papers and accounts of any officer of the revenue, to administer oaths, examine and

summon witnesses, and take testimony; and each and every such person falsely swearing or affirming shall be subject to the penalties and disabilities prescribed by law for the punishment of corrupt and wilful perjury; and all officers of the government are hereby required to extend to the said commissioner all reasonable facilities for the collection of information pertinent to the duties of his office. And the said special commissioner shall be paid an annual salary of four thousand dollars, and the travelling expenses necessarily incurred while in the discharge of his duty; and all letters and documents to and from the special commissioner relating to the duties and business of his office shall be transmitted by mail free of postage. And section nineteen of an act entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes,' approved June thirtieth, eighteen hundred and sixty-four," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, repealed.

SEC. 67. *And be it further enacted*, That in any case, civil or criminal, where suit or prosecution shall be commenced in any court of any State against any officer of the United States, appointed under or acting by authority of the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," passed June thirtieth, eighteen hundred and sixty-four, or of any act in addition thereto or in amendment thereof, or against any person acting under or by authority of any such officer on account of any act done under color of his office, or against any person holding property or estate by title derived from any such officer, concerning such property or estate, and affecting the validity of this act or acts of which it is amendatory, it shall be lawful for the defendant, in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate, signed by an attorney or counsellor at law of some court of record of the State in which such suit shall have been commenced, or of the United States, setting forth that, as counsel for the petitioner, he has examined the proceedings against him, and carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit, and certificate shall be presented to the said circuit court if in session, and if not, to the clerk thereof, at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause, originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the State court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by *capias*, he shall issue a writ of *habeas corpus cum causa*, a duplicate of which said writ shall be delivered to the clerk of the State court, or left at his office, by the marshal of the district, or his deputy, or some person duly authorized thereto; and thereupon it shall be the duty of the said State court to stay all further proceedings in such cause, and the said suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial, or judgment therein in the State court shall be wholly null and void. And if the defendant in any such suit be in actual custody on mesne process therein, it shall be the duty of the marshal, by virtue of the writ of *habeas corpus cum causa*, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof in vacation. All attachments made and all bail and other security given upon such suit or prosecution shall

&c. of any officer of revenue, &c.
False swearing before him to be perjury.
Government officers to extend facilities.
Salary.
Franking privilege.

Repeal of § 19 of act of 1865, ch. 78.
Vol. xiii. p. 487.

In all suits against revenue officers, or persons acting under them, &c. and affecting the validity of this act, &c., defendant may remove the suit to the United States circuit court at any time before trial.

Proceedings for removal.
Petition, &c.

Duty of clerk of circuit court.

Certiorari.

Habeas corpus cum causa.

How served.

State court to stay proceedings, and further acts therein void.

If defendant in custody, marshal to take the body.

Attachments, bail, &c. to continue.

If copy of proceedings in State court cannot be had, circuit court may compel plaintiff to proceed anew, or become non-suit with costs for defendant.

Act of 1833, ch. 57, not to apply to cases arising under internal revenue laws.

Vol. iv. p. 632.

Revenue officers, or persons acting under them, suffering injuries for acts done under the law, may sue for damages in the United States circuit court.

Property in custody of revenue officer to be irrepleviable.

Rescue thereof, how punished.

1790, ch. 9, § 22.
Vol. i. p. 117.

Repeal of § 50 of act of 1854, ch. 173.
Vol. xiii. p. 241.

Cases removed from State courts to courts of the United States to be remanded, unless, &c.

In all cases that have been removed, attachments, bail, &c. to remain in force.

In writs of error in criminal cases to Supreme Court of the

be and continue in like force and effect as if the same suit or prosecution had proceeded to final judgment and execution in the State court; and if, upon removal of any such suit or prosecution, it shall be made appear to the said circuit court that no copy of the record and proceedings therein in the State court can be obtained, it shall be lawful for said circuit court to allow and require the plaintiff to proceed de novo, and to file a declaration of his cause of action, and the parties may thereupon proceed as in action[s] originally brought in said circuit court; and, on failure of so proceeding, judgment of nolle prosequi may be rendered against the plaintiff, with costs for the defendant: *Provided*, That an act entitled "An act further to provide for the collection of duties on imports," passed March second, eighteen hundred and thirty-three, shall not be so construed as to apply to cases arising under an act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," passed June thirtieth, eighteen hundred and sixty-four, or any act in addition thereto or in amendment thereof, nor to any case in which the validity or interpretation of said act or acts shall be in issue: *Provided further*, That if any officer appointed under and by virtue of any act to provide internal revenue, or any person acting under or by authority of any such officer, shall receive any injury to his person or property, for or on account of any act by him done, under any law of the United States, for the collection of taxes, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States, in the district wherein the party doing the injury may reside or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States shall be irrepleviable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispossess or rescue, or attempt to dispossess or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, anno Domini one thousand seven hundred and ninety, for the wilful obstruction or resistance of officers in the service of process.

SEC. 68. *And be it further enacted*, That the fiftieth section of an act passed June thirtieth, eighteen hundred and sixty-four, entitled "An act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," is hereby repealed: *Provided*, That any case which may have been removed from the courts of any State under said fiftieth section to the courts of the United States shall be remanded to the State court from which it was so removed, with all the records relating to such cases, unless the justice of the circuit court of the United States in which such suit or prosecution is pending shall be of opinion that said case would be removable from the court of the State to the circuit court under and by virtue of the sixty-seventh section of this act. And in all cases which may have been removed from any court of any State under and by virtue of said fiftieth section of said act of June thirtieth, eighteen hundred and sixty-four, all attachments made, and all bail or other security given upon such suit or prosecution, shall be and continue in full force and effect until final judgment and execution, whether such suit shall be prosecuted to final judgment in the circuit court of the United States, or remanded to the State court from which it was removed.

SEC. 69. *And be it further enacted*, That whenever a writ of error shall be issued for the revision of any judgment or decree in any criminal proceeding where is drawn in question the construction of any statute of the United States, in a court of any State, as is provided in the twenty-

fifth section of an act entitled "An act to establish the judicial courts of the United States," passed September twenty-fourth, seventeen hundred and eighty-nine, the defendant, if charged with an offence bailable by the laws of such State, shall not be released from custody until a final judgment upon such writ, or until a bond, with sufficient sureties, in a reasonable sum, as ordered and approved by the State court, shall be given; and if the offence is not so bailable, until a final judgment upon the writ of error. Writs of error in criminal cases shall have precedence upon the docket of the Supreme Court of all cases to which the government of the United States is not a party, excepting only such cases as the court, at their discretion, may decide to be of public importance.

United States, defendant is not to be relieved until, &c. 1789, ch. 20, § 25. Vol. i. p. 85.

If offence is not bailable. Writs of error in criminal cases to have certain precedence on docket of supreme court.

When this act shall take effect.

Repeal of inconsistent laws.

Provisions of former laws to be in force for certain purposes.

SEC. 70. *And be it further enacted*, That this act shall take effect, where not otherwise provided, on the first day of August, eighteen hundred and sixty-six, and all provisions of any former act inconsistent with the provisions of this act are hereby repealed: *Provided, however*, That all the provisions of said acts shall be in force for collecting all taxes, duties and licenses properly assessed or liable to be assessed, or accruing under the provisions of acts, the right to which has already accrued or which may hereafter accrue under said acts, and for maintaining and continuing liens, fines, penalties, and forfeitures incurred under and by virtue thereof, and for carrying out and completing all proceedings which have been already commenced, or that may be commenced, to enforce such fines, penalties, and forfeitures, or criminal proceedings under said acts, and for the punishment of crimes of which any party shall be or has been found guilty: *And provided further*, That whenever the duty imposed by any existing law shall cease in consequence of any limitation therein contained before the respective provisions of this act shall take effect, the same duty shall be, and is hereby, continued until such provisions of this act shall take effect; and where any act is hereby repealed, no duty imposed thereby shall be held to cease, in consequence of such repeal, until the respective corresponding provisions of this act shall take effect: *And provided further*, That all manufactures and productions on which a duty was imposed by either of the acts repealed by this act, which shall be in the possession of the manufacturer or producer, or of his agent or agents, on the day when this act takes effect, the duty imposed by any such former act not having been paid, shall be held and deemed to have been manufactured or produced after such date; and whenever by the terms of this act a duty is imposed upon any articles, goods, wares, or merchandise, manufactured or produced, upon which no duty was imposed by either of said former acts, it shall apply to such as were manufactured or produced, and not removed from the place of manufacture or production, on the day when this act takes effect. And the commissioner of internal revenue, under the direction of the Secretary of the Treasury, is authorized to make all necessary regulations and prescribe all necessary forms and proceedings for the collection of such taxes and the enforcement of such fines and penalties for the execution of the provisions of this act.

Certain duties under existing laws to continue.

Certain duties not to cease, though law is repealed.

Manufactures, &c. in possession of manufacturers, when this act takes effect, on which duty has not been paid, or was not imposed, to be deemed to have been manufactured after such date.

Commissioner may make regulations, and prescribe forms and proceedings.

SEC. 71. *And be it further enacted*, That it shall be the duty of the commissioner of internal revenue to have this act, and the acts to which it is amendatory, published in at least one German newspaper in each of the States of the Union where such paper may be published.

Tax law to be published in certain German newspapers.

APPROVED, July 13, 1866.

CHAP. CC. — *An Act to continue in force and to amend "An Act to establish a Bureau for the Relief of Freedmen and Refugees," and for other Purposes.*

July 16, 1866. 1865, ch. 90. Vol. xiii. p. 507.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act to establish a bureau for the relief of freedmen and refugees, approved March third, eighteen hundred and sixty-five, shall continue in force for the term of two years from and after the passage of this act.

Act establishing bureau for relief of freedmen, &c. continued in force for two years.

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Supervision and care of bureau to extend to all loyal refugees and freedmen.

Two assistant commissioners to be appointed.

Bonds and salaries.
Duties.

Agents, clerks, and assistants.

Military officers and men may be detailed for service.

All officers and agents of bureau may be detailed from army, but without increase of pay, &c.

Salaries of agents and clerks.

Soldiers to be appointed when it can be done, &c.

All persons appointed under this act to be under military jurisdiction.

Officers of veteran reserve corps now in bureau may be retained.

Medical stores, supplies, and aid.

Who not to be deemed "destitute," "suffering," or "dependent," &c.

Sales made to "heads of families of the African race" by the tax commissioners for South

SEC. 2. *And be it further enacted*, That the supervision and care of said bureau shall extend to all loyal refugees and freedmen, so far as the same shall be necessary to enable them as speedily as practicable to become self-supporting citizens of the United States, and to aid them in making the freedom conferred by proclamation of the commander-in-chief, by emancipation under the laws of States, and by constitutional amendment, available to them and beneficial to the republic.

SEC. 3. *And be it further enacted*, That the President shall, by and with the advice and consent of the Senate, appoint two assistant commissioners, in addition to those authorized by the act to which this is an amendment, who shall give like bonds and receive the same annual salaries provided in said act, and each of the assistant commissioners of the bureau shall have charge of one district containing such refugees or freedmen, to be assigned him by the commissioner with the approval of the President. And the commissioner shall, under the direction of the President, and so far as the same shall be, in his judgment, necessary for the efficient and economical administration of the affairs of the bureau, appoint such agents, clerks, and assistants as may be required for the proper conduct of the bureau. Military officers or enlisted men may be detailed for service and assigned to duty under this act; and the President may, if in his judgment safe and judicious so to do, detail from the army all the officers and agents of this bureau; but no officer so assigned shall have increase of pay or allowances. Each agent or clerk, not heretofore authorized by law, not being a military officer, shall have an annual salary of not less than five hundred dollars, nor more than twelve hundred dollars, according to the service required of him. And it shall be the duty of the commissioner, when it can be done consistently with public interest, to appoint, as assistant commissioners, agents, and clerks, such men as have proved their loyalty by faithful service in the armies of the Union during the rebellion. And all persons appointed to service under this act and the act to which this is an amendment, shall be so far deemed in the military service of the United States as to be under the military jurisdiction, and entitled to the military protection of the government while in discharge of the duties of their office.

SEC. 4. *And be it further enacted*, That officers of the veteran reserve corps or of the volunteer service, now on duty in the Freedmen's Bureau as assistant commissioners, agents, medical officers, or in other capacities, whose regiments or corps have been or may hereafter be mustered out of service, may be retained upon such duty as officers of said bureau, with the same compensation as is now provided by law for their respective grades; and the Secretary of War shall have power to fill vacancies until other officers can be detailed in their places without detriment to the public service.

SEC. 5. *And be it further enacted*, That the second section of the act to which this is an amendment shall be deemed to authorize the Secretary of War to issue such medical stores or other supplies and transportation, and afford such medical or other aid as here may be needful for the purposes named in said section: *Provided*, That no person shall be deemed "destitute," "suffering," or "dependent upon the government for support," within the meaning of this act, who is able to find employment, and could, by proper industry or exertion, avoid such destitution, suffering, or dependence.

SEC. 6. Whereas, by the provisions of an act approved February sixth, eighteen hundred and sixty-three, entitled "An act to amend an act entitled 'An act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes,' approved June seventh, eighteen hundred and sixty-two," certain lands in the parishes of St. Helena and Saint Luke, South Carolina, were bid in by the United States at public tax sales, and by the limitation of said act the time of

redemption of said lands has expired; and whereas, in accordance with instructions issued by President Lincoln on the sixteenth day of September, eighteen hundred and sixty-three, to the United States direct tax commissioners for South Carolina, certain lands bid in by the United States in the parish of Saint Helena, in said State, were in part sold by the said tax commissioners to "heads of families of the African race," in parcels of not more than twenty acres to each purchaser; and whereas, under said instructions, the said tax commissioners did also set apart as "school farms" certain parcels of land in said parish, numbered on their plats from one to thirty-three, inclusive, making an aggregate of six thousand acres, more or less: Therefore, *be it further enacted*, That the sales made to "heads of families of the African race," under the instructions of President Lincoln to the United States direct tax commissioners for South Carolina, of date of September sixteenth, eighteen hundred and sixty-three, are hereby confirmed and established; and all leases which have been made to such "heads of families," by said direct tax commissioners, shall be changed into certificates of sale in all cases wherein the lease provides for such substitution; and all the lands now remaining unsold, which come within the same designation, being eight thousand acres, more or less, shall be disposed of according to said instructions.

SEC. 7. *And be it further enacted*, That all other lands bid in by the United States at tax sales, being thirty-eight thousand acres more or less, and now in the hands of the said tax commissioners as the property of the United States, in the parishes of Saint Helena and Saint Luke, excepting the "school farms," as specified in the preceding section, and so much as may be necessary for military and naval purposes at Hilton Head, Bay Point, and Land's End, and excepting also the city of Port Royal, on Saint Helena Island, and the town of Beaufort, shall be disposed of in parcels of twenty acres, at one dollar and fifty cents per acre, to such persons and to such only as have acquired and are now occupying lands under and agreeably to the provisions of General Sherman's special field order, dated at Savannah, Georgia, January sixteenth, eighteen hundred and sixty-five; and the remaining lands, if any, shall be disposed of in like manner to such persons as had acquired lands agreeably to the said order of General Sherman, but who have been dispossessed by the restoration of the same to former owners: *Provided*, That the lands sold in compliance with the provisions of this and the preceding section shall not be alienated by their purchasers within six years from and after the passage of this act.

SEC. 8. *And be it further enacted*, That the "school farms" in the parish of Saint Helena, South Carolina, shall be sold, subject to any leases of the same, by the said tax commissioners, at public auction, on or before the first day of January, eighteen hundred and sixty-seven, at not less than ten dollars per acre; and the lots in the city of Port Royal, as laid down by the said tax commissioners, and the lots and houses in the town of Beaufort, which are still held in like manner, shall be sold at public auction; and the proceeds of said sales, after paying expenses of the surveys and sales, shall be invested in United States bonds, the interest of which shall be appropriated, under the direction of the commissioner, to the support of schools, without distinction of color or race, on the islands in the parishes of Saint Helena and Saint Luke.

SEC. 9. *And be it further enacted*, That the assistant commissioners for South Carolina and Georgia are hereby authorized to examine all claims to lands in their respective States which are claimed under the provisions of General Sherman's special field order, and to give each person having a valid claim a warrant upon the direct tax commissioners for South Carolina for twenty acres of land; and the said direct tax commissioners shall issue to every person, or to his or her heirs, but in no case to any assigns, presenting such warrant, a lease of twenty acres of land, as pro-

Carolina confirmed.
1863, ch. 21.
Vol. xii. p. 640.

Leases, when may be changed into certificates of sale.

Lands now unsold, how to be disposed of.

Other lands in parishes of Saint Helena and Saint Luke bid in at tax sales, except "school farms," &c. to be disposed of in parcels;

to whom, in what quantity, and for what price may be sold.

Lands so sold not to be alienated within six years.

"School farms" in the parish of Saint Helena to be sold; how, when, and for what price.

Lots in Port Royal and lots and houses in Beaufort.

Proceeds of sales how invested and applied.

Assistant commissioners to examine claims under General Sherman's special field order.

Valid claims to have warrants for twenty acres.

Lease.

Persons holding lease to have certificate of sale.

No warrant to be valid for over two years.

Lands designated in section seven to be surveyed into lots of twenty acres each, &c.

Restoration of lands occupied by freedmen under General Sherman's field order not to be made until, &c.

Commissioner may hold and sell all lands and buildings held by the so-called confederate states and not disposed of, &c.

Proceeds how applied.

When bureau ceases to exist, unexpended sums to go where.

Commissioner to co-operate with private benevolent associations in aid of freedmen, &c.; to provide buildings and furnish teachers and protection.

Immunities and rights of all citizens declared in certain States and districts.

vided for in section seven, for the term of six years; but at any time thereafter, upon the payment of a sum not exceeding one dollar and fifty cents per acre, the person holding such lease shall be entitled to a certificate of sale of said tract of twenty acres from the direct tax commissioner or such officer as may be authorized to issue the same; but no warrant shall be held valid longer than two years after the issue of the same.

SEC. 10. *And be it further enacted*, That the direct tax commissioners for South Carolina are hereby authorized and required at the earliest day practicable to survey the lands designated in section seven into lots of twenty acres each, with proper metes and bounds distinctly marked, so that the several tracts shall be convenient in form, and as near as practicable have an average of fertility and woodland; and the expense of such surveys shall be paid from the proceeds of sales of said lands, or, if sooner required, out of any moneys received for other lands on these islands, sold by the United States for taxes, and now in the hands of the direct tax commissioners.

SEC. 11. *And be it further enacted*, That restoration of lands occupied by freedmen under General Sherman's field order dated at Savannah, Georgia, January sixteenth, eighteen hundred and sixty-five, shall not be made until after the crops of the present year shall have been gathered by the occupants of said lands, nor until a fair compensation shall have been made to them by the former owners of such lands, or their legal representatives, for all improvements or betterments erected or constructed thereon, and after due notice of the same being done shall have been given by the assistant commissioner.

SEC. 12. *And be it further enacted*, That the commissioner shall have power to seize, hold, use, lease, or sell all buildings and tenements, and any lands appertaining to the same, or otherwise, formerly held under color of title by the late so-called confederate states, and not heretofore disposed of by the United States, and any buildings or lands held in trust for the same by any person or persons, and to use the same or appropriate the proceeds derived therefrom to the education of the freed people; and whenever the bureau shall cease to exist, such of said so-called confederate states as shall have made provision for the education of their citizens without distinction of color shall receive the sum remaining unexpended of such sales or rentals, which shall be distributed among said states for educational purposes in proportion to their population.

SEC. 13. *And be it further enacted*, That the commissioner of this bureau shall at all times co-operate with private benevolent associations of citizens in aid of freedmen, and with agents and teachers, duly accredited and appointed by them, and shall hire or provide by lease buildings for purposes of education whenever such associations shall, without cost to the government, provide suitable teachers and means of instruction; and he shall furnish such protection as may be required for the safe conduct of such schools.

SEC. 14. *And be it further enacted*, That in every State or district where the ordinary course of judicial proceedings has been interrupted by the rebellion, and until the same shall be fully restored, and in every State or district whose constitutional relations to the government have been practically discontinued by the rebellion, and until such State shall have been restored in such relations, and shall be duly represented in the Congress of the United States, the right to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to have full and equal benefit of all laws and proceedings concerning personal liberty, personal security, and the acquisition, enjoyment, and disposition of estate, real and personal, including the constitutional right to bear arms, shall be secured to and enjoyed by all the citizens of such State or district without respect to race

or color, or previous condition of slavery. And whenever in either of said States or districts the ordinary course of judicial proceedings has been interrupted by the rebellion, and until the same shall be fully restored, and until such State shall have been restored in its constitutional relations to the government, and shall be duly represented in the Congress of the United States, the President shall, through the commissioner and the officers of the bureau, and under such rules and regulations as the President, through the Secretary of War, shall prescribe, extend military protection and have military jurisdiction over all cases and questions concerning the free enjoyment of such immunities and rights, and no penalty or punishment for any violation of law shall be imposed or permitted because of race or color, or previous condition of slavery, other or greater than the penalty or punishment to which white persons may be liable by law for the like offence. But the jurisdiction conferred by this section upon the officers of the bureau shall not exist in any State where the ordinary course of judicial proceedings has not been interrupted by the rebellion, and shall cease in every State when the courts of the State and the United States are not disturbed in the peaceable course of justice, and after such State shall be fully restored in its constitutional relations to the government, and shall be duly represented in the Congress of the United States.

Certain states or districts to be under military protection and jurisdiction.

No discrimination on account of race or color or previous condition of slavery. Jurisdiction of bureau not to exist in certain States, and to cease in every State when, &c.

SEC. 15. *And be it further enacted*, That all officers, agents, and employés of this bureau, before entering upon the duties of their office shall take the oath prescribed in the first section of the act to which this is an amendment; and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

All officers, &c. of bureau to take oath. Repealing clause.

SCHUYLER COLFAX,
Speaker of the House of Representatives.
LA FAYETTE S. FOSTER,
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
July 16, 1866.

The President of the United States having returned to the House of Representatives, in which it originated, the bill entitled "An act to continue in force and to amend 'An act to establish a bureau for the relief of freedmen and refugees,' and for other purposes," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EWD. McPHERSON,
Clerk H. Reps, U. S.

IN THE SENATE OF THE UNITED STATES,
July 16, 1866.

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to continue in force and to amend 'An act to establish a bureau for the relief of freedmen and refugees,' and for other purposes," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill;

Resolved, That the bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate, U. S.

July 18, 1866.

The terms "vessel" and "vehicle" to include what.

Officers of the customs and other authorized persons may board and search any vessel, &c.

Vessels under way may be compelled to stop;

may be seized, and persons on board arrested for breach of law.

Original appointments, &c. to be filed in custom-house.

Officers of the customs may stop and search any vehicle, &c.

When vehicles, and teams, and contents may be seized and forfeited.

Penalty on driver, &c. of vehicle refusing to stop and allow search.

Regulations for search of persons and luggage. Female inspectors.

CHAP. CCI. — *An Act further to prevent Smuggling and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of this act, the term "vessel," whenever hereinafter used, shall be held to include every description of water-craft, raft, vehicle, and contrivance used or capable of being used as a means or auxiliary of transportation on or by water; and the term "vehicle," whenever hereinafter used, shall be held to include every description of carriage, wagon, engine, car, sleigh, sled, sledge, hurdle, cart, and other artificial contrivance, used or capable of being used as a means or auxiliary of transportation on land.

SEC. 2. *And be it further enacted,* That it shall be lawful for any officer of the customs, including inspectors and occasional inspectors, or of a revenue cutter, or authorized agent of the Treasury Department, or other person specially appointed for the purpose in writing by a collector, naval officer, or surveyor of the customs, to go on board of any vessel, as well without as within his district, and to inspect, search, and examine the same, and any person, trunk, or envelope on board, and to this end, to hail and stop such vessel if under way, and to use all necessary force to compel compliance; and if it shall appear that any breach or violation of the laws of the United States has been committed, whereby or in consequence of which, such vessel, or the goods, wares, and merchandise, or any part thereof, on board of or imported by such vessel, is or are liable to forfeiture, to make seizure of the same, or either or any part thereof, and to arrest, or in case of escape, or any attempt to escape, to pursue and arrest any person engaged in such breach or violation: *Provided,* That the original appointment in writing of any person specially appointed as aforesaid shall be filed in the custom-house where such appointment is made.

SEC. 3. *And be it further enacted,* That any of the officers or persons authorized by the second section of this act to board or search vessels may stop, search, and examine, as well without as within their respective districts, any vehicle, beast, or person on which or whom he or they shall suspect there are goods, wares, or merchandise which are subject to duty or shall have been introduced into the United States in any manner contrary to law, whether by the person in possession or charge, or by, in, or upon such vehicle or beast, or otherwise, and to search any trunk or envelope, wherever found, in which he may have a reasonable cause to suspect there are goods which were imported contrary to law; and if any such officer or other person so authorized as aforesaid shall find any goods, wares, or merchandise, on or about any such vehicle, beast, or person, or in any such trunk or envelope, which he shall have reasonable cause to believe are subject to duty, or to have been unlawfully introduced into the United States, whether by the person in possession or charge, or by, in, or upon such vehicle, beast, or otherwise, he shall seize and secure the same for trial; and every such vehicle and beast, or either, together with teams or other motive-power used in conveying, drawing, or propelling such vehicle, goods, wares, or merchandise, and all other appurtenances, including trunks, envelopes, covers, and all means of concealment, and all the equipage, trappings, and other appurtenances of such beast, team, or vehicle shall be subject to seizure and forfeiture; and if any person who may be driving or conducting, or in charge of any such carriage or vehicle or beast, or any person travelling, shall wilfully refuse to stop and allow search and examination to be made as herein provided, when required so to do by any authorized person, he or she shall, on conviction, be fined in any sum, in the discretion of the court convicting him or her, not exceeding one thousand dollars, nor less than fifty dollars; and the Secretary of the Treasury may from time to time prescribe regulations for the search of persons and baggage, and for the employment of female inspectors for the examination and search of persons of their own sex; and all persons coming into the United States from foreign countries

shall be liable to detention and search by authorized officers or agents of the government, under such regulations as the Secretary of the Treasury shall from time to time prescribe: *Provided*, That no railway car or engine or other vehicle, or team used by any person or corporation, as common carriers in the transaction of their business as such common carriers shall be subject to forfeiture by force of the provisions of this act unless it shall appear that the owners, superintendent, or agent of the owner in charge thereof at the time of such unlawful importation or transportation thereon or thereby, was a consenting party, or privy to such illegal importation or transportation.

Cars, engines, &c. of common carriers not subject to forfeiture, unless, &c.

SEC. 4. *And be it further enacted*, That if any person shall fraudulently or knowingly import or bring into the United States, or assist in so doing, any goods, wares, or merchandise, contrary to law, or shall receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of such goods, wares, or merchandise, after their importation, knowing the same to have been imported contrary to law, such goods, wares, and merchandise shall be forfeited, and he or she shall, on conviction thereof before any court of competent jurisdiction, be fined in any sum not exceeding five thousand dollars nor less than fifty dollars, or be imprisoned for any time not exceeding two years, or both, at the discretion of such court; and in all cases where the possession of such goods shall be shown to be in the defendant, or where the defendant shall be shown to have had possession thereof, such possession shall be deemed evidence sufficient to authorize conviction, unless the defendant shall explain the possession to the satisfaction of the jury.

Penalty for fraudulently or knowingly bringing into the United States any goods, &c. contrary to law; for knowingly receiving, &c. the same.

Possession of goods, &c. sufficient to authorize conviction, unless defendant explains it.

SEC. 5. *And be it further enacted*, That any person authorized by this act to make searches and seizures, or any person assisting him or acting under his directions, may, if deemed necessary by him or them, enter into or upon or pass through the lands, enclosures, and buildings, other than the dwelling-house of any person whomsoever, in the night or in the daytime, in order to the more effectual discharge of his or their official duties.

Persons authorized to make seizures, &c. may enter lands, buildings, &c. other than dwelling-houses.

SEC. 6. *And be it further enacted*, That if any person shall forcibly assault, resist, oppose, prevent, impede, or interfere with any officer of the customs or his deputy or deputies, or any person assisting them or either of them in the execution of their duties, or any person authorized by this act to make searches or seizures, in the execution of his duty, or shall rescue, or attempt to rescue, or cause to be rescued, any property which shall have been seized by any person authorized as aforesaid, or shall before, at, or after any such seizure, in order to prevent the seizure or securing of any goods, wares, or merchandise by any person authorized as aforesaid, stave, break, throw overboard, destroy, or remove the same, the person so offending shall, for every such offence, on conviction thereof, forfeit and pay a sum of not less than one hundred dollars, nor more than two thousand dollars, or shall be imprisoned not less than one month nor more than one year, or both, at the discretion of the court convicting him or her, and shall stand committed until such fine and the costs of prosecution shall have been fully paid; and if any person shall discharge any deadly weapon at any person authorized as aforesaid to make searches or seizures, or shall use any deadly or dangerous weapon in resisting him in the execution of his duty, with intent to commit a bodily injury upon him, or to deter or prevent him from discharging his duty, every such person so offending shall, upon conviction thereof, be deemed guilty of felony, and shall be imprisoned at hard labor for a term not exceeding ten years nor less than one year.

Penalty for forcibly resisting officers of customs, &c. in discharge of their duty; for rescuing or attempting to rescue seized property; for destroying, &c. property to prevent its being seized.

Fine or imprisonment, or both.

Penalty for discharging or using any deadly weapon against such officers, &c. in discharge of their duty. Fine and imprisonment.

SEC. 7. *And be it further enacted*, That it shall be the duty of the several collectors of customs to report within ten days to the district attorney of the district in which any fine or personal penalty may be incurred for the violation of any law of the United States relating to the revenue, in all cases in which such fine or penalty shall not be voluntarily paid, a state-

Collectors of customs to report within ten days to district attorneys cases of fines and per-

sonal penalties not paid.

Suit to be commenced therefor without delay, unless, &c.

Allowance to district attorneys for services.

Collectors not making report, to forfeit their share of fines, &c.

Vessels held for payment of penalties;

may be proceeded against.

In former act "merchandise" to read "goods, wares, and merchandise."

1821, ch. 14. vol. iii. p. 616.

Officers and persons making searches and seizures to disclose authority on request;

may demand assistance of persons within three miles.

Penalty for refusing assistance.

In all cases of seizure of property for forfeiture, if value is not over \$500, duplicate list to be prepared, and appraisement made.

Who to appraise.

Appraisement to be attested.

Fees of appraisers.

ment of all the facts and circumstances of the case within their knowledge, together with the names of the witnesses, and which may come to their knowledge from time to time, stating the provisions of the law believed to be violated, and on which a reliance may be had for a condemnation or conviction; and such district attorney shall cause suit and prosecution to be commenced and prosecuted without delay for the fines and personal penalties by law in such case provided, unless upon inquiry and examination he shall decide that a conviction cannot probably be obtained, or that the ends of public justice do not require that a suit or prosecution should be instituted, in which case he shall report the facts to the Secretary of the Treasury for his direction; and for expenses incurred and services rendered in prosecutions for such fines and personal penalties, the district attorney shall receive such allowance as the Secretary of the Treasury shall deem just and reasonable, upon the certificate of the judge before whom such prosecution was had; and if any collector shall in any case fail to report to the proper district attorney, as prescribed in this section, such collector's share of any fine or penalty imposed or incurred in such case shall be forfeited to the United States, and the same shall be awarded to such persons as may make complaint and prosecute the same to conviction.

SEC. 8. *And be it further enacted*, That in any case where a vessel or the owner, master, or manager of a vessel shall be subject to a penalty for a violation of the revenue laws of the United States, such vessel shall be holden for the payment of such penalty, and may be seized and proceeded against summarily, by libel, to recover such penalty, in any district court of the United States having jurisdiction of the offence.

SEC. 9. *And be it further enacted*, That the act entitled "An act further to regulate the entry of merchandise imported into the United States from any adjacent territory," approved March two, eighteen hundred and twenty-one, be, and the same is hereby, so amended that wherever in said act the word "merchandise" occurs, the same shall read "goods, wares, or merchandise."

SEC. 10. *And be it further enacted*, That every officer or other person authorized to make searches and seizures by this act shall, at the time of executing any of the powers conferred upon him by this act, make known, upon being questioned, his character as an officer or agent of the customs or government, and shall have authority to demand of any person within the distance of three miles to assist him in making any arrest, search, or seizure authorized by this act, where such assistance may be necessary; and if such person shall without reasonable excuse neglect or refuse so to assist, upon proper demand, he shall be deemed guilty of a misdemeanor, and shall forfeit a sum not exceeding two hundred dollars, nor less than five dollars.

SEC. 11. *And be it further enacted*, That in all cases of seizure of property subject to forfeiture for any of the causes named in this act, or any other act relating to the customs, or the registering, enrolling, or licensing of vessels, now in force, when, in the opinion of the collector or other principal officer of the revenue making such seizure, the value of the property so seized shall not exceed five hundred dollars, he shall cause a list and particular description of the property so seized to be prepared in duplicate, and an appraisement of the same to be made by two sworn appraisers under the revenue laws, if there are such appraisers at or near the place of seizure; but if there are no such appraisers, then by two competent and disinterested citizens of the United States, to be selected by him for that purpose, residing at or near the place of seizure; which list and appraisement shall be properly attested by such collector or other officer and the persons making the appraisal; and for such services of the appraisers they shall be allowed out of the revenue one dollar and fifty cents each for every day necessarily employed in such service. If

the amount of such appraisal shall not exceed the sum of five hundred dollars, said collector or other principal officer shall publish a notice once a week for three successive weeks in some newspaper of the county or place where such seizure shall have been made, if any newspaper shall be published in said county; but if no newspaper shall be published in said county, then such notice shall be published in some newspaper of the county in which the principal customs office of the district shall be situated; and if no newspaper shall be published in such county, then notices shall be posted in proper public places, which notices shall describe the articles seized, and state the time, cause, and place of seizure, and shall require any person claiming such articles to appear and file with such collector or other officer his claim to such articles within twenty days from the date of the first publication of such notice.

If amount of appraisal does not exceed \$500, collector to give notice.

Notices to state what.

SEC. 12. *And be it further enacted*, That any person claiming the property so seized may, at any time within twenty days from the date of such publication, file with the collector or other officer a claim, stating his or her interest in the articles seized, and, upon depositing with such collector or other officer a bond to the United States in the penal sum of two hundred and fifty dollars, with two sureties, to be approved by such collector or other officer, conditioned that, in case of the condemnation of the articles so claimed, the obligors shall pay all the costs and expenses of the proceedings to obtain such condemnation. Such collector or other officer shall transmit the same, with the duplicate list and description of the articles seized and claimed, to the United States district attorney for the district, who shall proceed for a condemnation of the property in the ordinary mode prescribed by law. But if no such claim shall be filed nor bond given within the twenty days above specified, such collector or other officer shall give not less than fifteen days' notice of the sale of the property so seized, by publication in the manner before mentioned, and, at the time and place specified in such notice, he shall sell at public auction the property so seized, and shall deposit the proceeds, after deducting the actual expenses of such seizure, publication, and sale, to the credit of the Treasurer of the United States, as shall be directed by the Secretary of the Treasury: *Provided*, That the collector shall have power to adjourn such sale from time to time for a period not exceeding thirty days in all.

Claimants of property seized to file claim within twenty days, &c.

Claim to state what.
Bond.

Bond, list, &c. to be sent to district attorney, who shall proceed to obtain condemnation.

If claim is not filed, nor bond given, collector, &c. to notify of sale and sell at auction.

Proceeds of sale.

Sale may be adjourned.

SEC. 13. *And be it further enacted*, That any person claiming to be interested in the property sold under the provisions of the *preceding* [preceding] section may, within three months after such sale, apply to the Secretary of the Treasury for a remission of the forfeiture and a restoration of the proceeds of such sale, and the same may be granted by said Secretary, upon satisfactory proof, to be furnished in such manner as he shall direct, that the applicant, at the time of the seizure and sale of the property in question, did not know of the seizure, and was in such circumstances as prevented him from knowing of the same, and that said forfeiture was incurred without wilful negligence or any intention of fraud on the part of the owner of such property.

Persons interested may within three months apply for remission of forfeiture, &c. which may be granted upon proofs, &c.

SEC. 14. *And be it further enacted*, That if no application for such remission or restoration shall be made within three months after such sale, the Secretary of the Treasury shall then cause the proceeds of such sale to be distributed in the same manner as if such property had been condemned and sold in pursuance of a decree of a competent court.

If not made within three months, proceeds of sale to be distributed.

SEC. 15. *And be it further enacted*, That whenever seizure shall be made of any property which, in the opinion of the appraisers, shall be liable to perish or waste, or to be greatly reduced in value by keeping, or cannot be kept without great disproportionate expense, whether such seizure consist of live animals, or goods, wares, or merchandise, and when the property thus seized shall not exceed five hundred dollars in value, and when no claim shall have been interposed therefor as is hereinbefore

If perishable property is seized, what proceedings to be had.

Proceedings in case of perishable property.

provided, the said appraisers, if requested by the collector or principal officer making the seizure at the time when such appraisal is made, shall certify on oath in their appraisal their belief that the property seized is liable to speedy deterioration, or that the expenses of its keeping will largely reduce the net proceeds of the sale; and in case the appraisers thus certify, such collector or other officer may proceed to advertise and sell the same at auction, by giving notice for such time as he may think reasonable, but not less than one week, of such seizure and intended sale, by advertisement as is hereinbefore provided; and the proceeds of such sale shall be deposited to the credit of the Treasurer of the United States, subject, nevertheless, to the payment of such claims as shall be presented within three months from the day of sale, and allowed by the Secretary of the Treasury.

Remission of fines and forfeitures where amount is not over \$ 1000.

SEC. 16. *And be it further enacted*, That the Secretary of the Treasury shall have authority to ascertain the facts upon all applications for remission of fines, penalties, and forfeitures incurred or accruing under the revenue laws, where the amount in question does not exceed one thousand dollars, in such manner and under such regulations as he may deem proper; and he may thereupon remit or mitigate such fines, penalties, or forfeitures, if in his opinion the same shall have been incurred without wilful negligence or any intention of fraud.

Parties claiming a lien on imported goods, &c. to be notified before delivery of goods to owner, &c.

Possession by officers not to discharge lien.

United States, &c. not liable for failure to notify.

SEC. 17. *And be it further enacted*, That whenever the proper officer of the customs shall be duly notified of the existence of a lien upon imported goods, wares, or merchandise in his custody, he shall, before delivering such goods, wares, or merchandise to the importer, owner, or consignee thereof, give seasonable notice to the party or parties claiming the lien; and the possession by the officers of customs shall not affect the discharge of such lien: *Provided*, That the rights of the government shall not be prejudiced thereby. And the Secretary of the Treasury may prescribe all needful regulations to carry this provision into effect: *And provided*, That neither the United States nor its officers shall be in any manner liable for losses incurred in consequence of the omission by accident and without their fault of officers of the customs to give the notice aforesaid.

Existing penalties not affected hereby, except so specially provided.

SEC. 18. *And be it further enacted*, That nothing in this act contained shall be taken to abridge or limit any forfeiture, penalty, fine, liability, or remedy provided for or existing under any law now in force, except as herein otherwise specially provided.

Where value of imports is not over \$100, they may be entered without triplicate invoice, if, &c.

1863, ch. 76.

Vol. xii. p. 737.

SEC. 19. *And be it further enacted*, That where the value of goods, wares, or merchandise imported or brought into the United States shall not exceed one hundred dollars, the collector is authorized in his discretion to admit the same to entry without the production of the triplicate invoice required by the act of March three, eighteen hundred and sixty-three, entitled "An act to prevent and punish frauds," and so forth, and without submitting the question to the Secretary of the Treasury: *Provided*, That the collector shall be satisfied that the neglect to produce such invoice was unintentional, and that the importation was in good faith and without any purpose of defrauding or evading the revenue laws of the United States.

Goods, &c. at ports on northern, &c. frontiers, shipped thence on a foreign vessel to a foreign port, to be re-shipped to a port in the United States on those frontiers, with intent, &c. may be forfeited.

1817, ch. 31, § 4.

Vol. iii. p. 351.

SEC. 20. *And be it further enacted*, That if any goods, wares, or merchandise shall, at any port or place in the United States on the northern, northeastern, or northwestern frontiers thereof, be laden upon any vessel belonging wholly or in part to a subject or subjects of a foreign country or countries, and shall be taken thence to a foreign port or place, to be reladen and reshipped to any other port or place in the United States on said frontiers, either by the same or any other vessel, foreign or American, with intent to evade the provisions of the fourth section of "the act concerning the navigation of the United States," approved March one, eighteen hundred and seventeen, the said goods, wares, and merchandise

shall, on their arrival at such last-named port or place, be seized and forfeited to the United States, and the vessel shall pay a tonnage duty of fifty cents per ton on her admeasurement.

Vessel to pay a tonnage duty.

SEC. 21. *And be it further enacted*, That all steam tug-boats, not of the United States, found employed in towing documented vessels of the United States plying from one port or place in the same to another, shall forfeit and pay the sum of fifty cents per ton on the admeasurement of every such vessel so towed by them respectively, as aforesaid, which sum may be recovered by way of libel or suit.

Steam tug-boats, not of the United States, employed in towing, &c. to forfeit fifty cents a ton for every vessel towed.

SEC. 22. *And be it further enacted*, That if any vessel enrolled or licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, shall touch at any port or place in the adjacent British provinces, and the master or other person having charge of such vessel shall purchase any goods, wares, or merchandise, for the use of said vessel, said master or other person having charge of said vessel shall report the same, with cost and quantity thereof, to the collector or other officer of the customs at the first port in the United States at which he shall next arrive, designating them "sea stores"; and in the oath to be taken by such master or other person in charge of such vessel, on making said report, he shall declare that the articles so specified or designated "sea stores" are truly intended for the use exclusively of said vessel, and are not intended for sale, transfer, or private use, and if, upon examination and inspection by the collector or other officer of the customs such articles are not deemed excessive in quantity for the use of said vessel for the voyage on which she is engaged, such articles shall be declared free of duty; but if it shall be found that the quantity or quantities of such articles or any part thereof so reported are excessive, it shall be lawful for the collector or other officer of the customs to estimate the amount of duty on such excess, which shall be forthwith paid by said master or other person having charge of said vessel, on pain of forfeiting a sum of not less than one hundred dollars nor more than four times the value of such excess, or said master or other person, having charge of such vessel shall be liable to imprisonment for a term of not less than three months nor more than two years, at the discretion of the court. And if any other or greater quantity of dutiable articles shall be found on board such vessel than are specified in such report or entry of said articles, or any part thereof shall be landed without a permit from a collector or other officer of the customs, such articles, together with the vessel, her apparel, tackle, and furniture, shall be seized and forfeited: *Provided, always*, That articles purchased for the use of or for sale on board any steamboat, propeller, or other vessel, as "saloon stores or supplies," shall be deemed goods, wares, and merchandise, and shall be liable (when purchased at a foreign port) to entry and the payment of the duties found to be due thereon at the first port of arrival of such vessel in the United States, and for a failure on the part of the saloon keeper or person purchasing or owning such articles to report, make entries, and pay duties, as hereinbefore required, such articles, together with the fixtures and other goods, wares, or merchandise, found in such saloon or on or about such vessel belonging to and owned by such saloon keeper or other person interested in such saloon, shall be seized and forfeited, and such saloon keeper or other person purchasing and owning as aforesaid shall forfeit and pay the sum of not less than one hundred dollars nor more than five hundred dollars, and in addition thereto shall be imprisoned for a term not less than three months nor more than two years.

Master of any enrolled or licensed vessel on northern, &c. frontiers, purchasing "sea stores" at any port in adjacent British provinces, to report same at first port of arrival in the United States; to make oath.

If such articles are found to be in excess, duty to be paid on excess.

Penalty.

Dutiable articles on board and not in report to be forfeited with vessel, &c.

"Saloon stores or supplies" to pay duty.

Penalty.

SEC. 23. *And be it further enacted*, That the equipments, or any part thereof, (including boats,) purchased for, or the expenses of repairs made in a foreign country upon a vessel enrolled and licensed under the laws of the United States to engage in the foreign and coasting trade on the

Equipments of such vessels, including boats, and expenses of repairs, to be

entered and pay duty.

Rate of duty.

Penalty for not reporting, &c.

If equipments are purchased or repairs made from necessity, duties may be refunded.

License or enrolment, &c. not to issue to any vessel until equipments and repairs have been accounted for.

Oath and penalty for false oath, &c.

Certificate of registry, &c. fraudulently obtained, to cause forfeiture of vessel.

Provisions of law relating to manifests to apply to vessels owned by foreigners.

1799, ch. 22.
Vol. i. p. 627.

Goods, &c. taken in any vessel from one port to another, on northern, &c. frontiers, to be unladen only in open day, unless, &c.

Penalty.

Regulations for unloading at night.

Regulations as to inspectors on vessels destined for one or more ports of the United States.

northern, northeastern, and northwestern frontiers of the United States, or a vessel intended to be employed in such trade, shall, on the first arrival of such vessel in any port of the United States, be liable to entry and the payment of an ad valorem duty of fifty per centum on the cost thereof in such foreign country; and if the owner or owners or master of such vessel shall wilfully and knowingly neglect or fail to report, make entry, and pay duties as herein required, such vessel, with her tackle, apparel, and furniture, shall be seized and forfeited: *Provided*, That if the owner or owners or master of such vessel shall furnish good and sufficient evidence that such vessel, while in the regular course of her voyage, was compelled, by stress of weather or other casualty, to put into said foreign port and purchase such equipments, or make such repairs, to secure the safety of the vessel to enable her to reach her port of destination, then it shall be competent for the Secretary of the Treasury to remit or refund such duties, and such vessel shall not be liable to forfeiture, and no license or enrolment and license, or renewal of either, shall hereafter be issued to any such vessel until the collector to whom application is made for the same shall be satisfied, from the oath of the owner or master, that all such equipments and repairs, made within the year immediately preceding such application, have been duly accounted for under the provisions of this section, and the duties accruing thereon after the passage of this act duly paid; and if such owner or master shall refuse to take such oath, or take it falsely, the vessel shall be seized and forfeited.

SEC. 24. *And be it further enacted*, That if any certificate of registry, enrolment, or license, or other record or document granted in lieu thereof, to any vessel shall be knowingly and fraudulently obtained or used for any vessel not entitled to the benefit thereof, such vessel, with her tackle, apparel, and furniture, shall be liable to forfeiture.

SEC. 25. *And be it further enacted*, That on and after the first day of July next, the several provisions of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March two, seventeen hundred and ninety-nine, relating to manifests, shall apply as well to vessels owned in whole or in part by foreigners as to vessels of the United States; and that the Secretary of State send copies of this section to all consular officers of the United States in foreign countries.

SEC. 26. *And be it further enacted*, That no goods, wares, or merchandise, taken from any port or place in the United States, on the northern, northeastern, or northwestern frontiers thereof, to a port or place in another collection district of the United States on said frontiers, in any ship or vessel, shall be unladen or delivered from such ship or vessel within the United States but in open day, that is to say, between the rising and the setting of the sun, except by special license from the collector or other principal officer of the port for the purpose, nor at any time without a permit from such collector or other principal officer for such unloading or delivery. And the owner or owners of every vessel whose master or manager shall neglect to comply with the provisions of this section, shall forfeit and pay to the United States a sum not less than one hundred dollars nor more than five hundred dollars: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized, from time to time, to make such regulations as to him shall seem necessary and expedient for unloading at and clearance from any port or place on said frontiers of ships or vessels at night.

SEC. 27. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to make such rules and regulations, from time to time, as to him shall seem necessary, relative to the duties of inspectors authorized by law, to be placed on board of vessels destined for one or more ports in the United States.

SEC. 28. *And be it further enacted*, That all vessels which, under the provisions of the fifteenth section of the act entitled "An act increasing

temporarily the duties on imports, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, of the fourth section of the act entitled "An act to modify existing laws imposing duties on imports, and for other purposes," approved March three, eighteen hundred and sixty-three, and of the fourth section of an act entitled "An act amendatory of certain acts imposing duties upon foreign importations," approved March three, eighteen hundred and sixty-five, are exempted from paying tonnage duties more than once in a year, shall hereafter pay the same either at their first clearance from or entry at, according to priority, a custom-house in the United States in each calendar year: *Provided*, That all licensed and enrolled and licensed vessels of the United States shall pay the said duty when taking out or renewing their respective enrolments or licenses, if the same has not previously been paid for the calendar year: *And provided further*, That nothing in this act shall be construed to prevent customs officers from collecting such tonnage duty at the entry of any vessel at their respective custom-houses during the calendar year, if the same shall not previously have been paid for such year: *And provided further*, That all vessels which are subject to enrolment or license shall hereafter be liable to the payment of the fees established by law for services of customs officers incident thereto.

SEC. 29. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized, whenever he shall think it advantageous to the public service of revenue, to abolish or suspend the offices of naval officer, or any other subordinate office, in any collection district of the United States, except in those enumerated in section nine of the act of May seven, eighteen hundred and twenty-two, and the amendment thereto, by the act of April nine, eighteen hundred and sixty-four, and the port of San Francisco, and to assign the duties of the office or any other subordinate office so abolished or suspended to a deputy collector or inspector of the customs; and so much of all fines, penalties, and forfeitures as would otherwise inure to either of such naval officers shall, after the discontinuance of their offices respectively, be paid into the treasury of the United States, and there credited to the fund for defraying the expenses of collecting the revenue from customs. And the Secretary of the Treasury is hereby further authorized, in all cases in which, in his opinion, the public interest demands it, to clothe deputy collectors, located at ports other than the principal port of entry of their respective districts, with all the powers of their principals appertaining to their official acts.

SEC. 30. *And be it further enacted*, That no officer or clerk whose duty it shall be to make payments on account of the salary or wages of any officer or person employed in connection with the customs or the internal revenue service shall make any payment to any officer or person so employed on account of services rendered, or of salary, unless such officer or person so to be paid shall have made and subscribed an oath that, during the period for which he or she is to receive pay for salary or services rendered, neither he nor she, nor any member of his or her family, has received, either personally or by the intervention of another party, any money or compensation of any description whatever, nor any promises for the same, either directly or indirectly, for services rendered or to be rendered, or acts performed or to be performed, in connection with the customs or internal revenue, nor purchased, for like services or acts, from any importer, (if affiant is connected with the customs, or manufacturer, if affiant is connected with the internal revenue service,) consignee, agent, or custom-house broker, or other person whomsoever, any goods, wares, or merchandise, at less than regular retail market prices therefor. And any person who shall wilfully and falsely take and subscribe said oath, and being duly convicted thereof, shall be subjected to the penalties and disabilities by law prescribed for the punishment of wilful and corrupt perjury.

Vessels paying tonnage duty only once a year to pay the same at first entry or clearance in each calendar year.

1862, ch. 163, § 15.

Vol. xii. p. 558.

1863, ch. 77, § 4.

Vol. xii. p. 742.

1865, ch. 80, § 4.

Vol. xiii. p. 493.

Proviso.

Proviso.

Proviso.

Offices of naval officer and of any subordinate office may be suspended, except, &c. and, duties thereof assigned to deputy collector or inspector.

1822, ch. 107, § 9.

Vol. iii. p. 695.

1864, ch. 54.

Vol. xiii. p. 46.

Fines, &c. inuring to such naval officers, after discontinuance.

Deputy collectors may be authorized to exercise powers of their principals.

Salary or wages of persons employed in the customs or internal revenue.

Service not to be paid until oath is made, &c.

Falsely taking the oath to be perjury.

Goods, &c.
seized for viola-
tion of laws relat-
ing to customs
to remain in
custody of col-
lector, &c.

Proceedings.

Fines, &c.
how disposed of.

1799, ch. 22, § 91.
Vol. i. p. 697.

Certain duties
or fees to be re-
mitted or refund-
ed to collectors
or surveyors.

1861, ch. 45.
Vol. xii. p. 292.

1864, ch. 171.
Vol. xiii. p. 202.

1864, ch. 113.
Vol. xiii. p. 120.

1865, ch. 80.
Vol. xiii. p. 491.

Where fees or
emoluments of
any collector,
&c. are in-
sufficient com-
pensation, part
of his incidental
expenses may be
paid.

Incidental ex-
penses before in-
curred and not
paid.

Fees to be
placed to credit
of what fund.

All officers,
&c., not to be al-
lowed more than
pro rata pay for
the time they
serve, and none
to receive more
than their maxi-
mum rate.

1864, ch. 7, § 1.
Vol. ix. p. 3.

Penalty for of-
fering to officers

SEC. 31. *And be it further enacted*, That all goods, wares, merchan-
dise, or property of any kind seized under the provisions of this act or
any other law of the United States relating to the customs shall, unless
otherwise provided for by law, be placed and remain in the custody of
the collector or other principal officer of the customs of the district in
which the seizure shall be made, to abide adjudication by the proper tri-
bunal, or other disposition according to law; and the proceedings in re-
gard to fines, penalties, and forfeitures by virtue of this act, and not
herein prescribed, shall be the same as are now provided by law in like
cases; and all such fines, penalties, and forfeitures shall, after deducting
all proper costs and charges, be disposed of and applied as provided for
in the ninety-first section of the act entitled "An act to regulate the col-
lection of duties on imports and tonnage," approved March two, seven-
teen hundred and ninety-nine.

SEC. 32. *And be it further enacted*, That in all cases in which any
collector or surveyor of customs has paid or accounted for, or is charged
with duties or fees accruing under the act entitled "An act to provide in-
creased revenue from imports to pay interest on the public debt, and for
other purposes," approved August five, eighteen hundred and sixty-one,
or the act entitled "An act to increase duties on imports, and for other
purposes," approved June thirty, eighteen hundred and sixty-four, or the
act entitled "An act to create an additional supervising inspector of
steamboats and two local inspectors of steamboats for the collection dis-
trict of Memphis, Tennessee, and two local inspectors for the district of
Oregon, and for other purposes," approved June eight, eighteen hundred
and sixty-four, or the act entitled "An act amendatory of certain acts im-
posing duties on foreign importations," approved March three, eighteen
hundred and sixty-five, and in regard to which the Secretary of the
Treasury shall be satisfied that the collection of said duties or fees was
omitted by such collector or surveyor, or by any steamboat inspector, for
the reason that he was not informed of the existence of the said acts when
the said duties or fees accrued, that the said Secretary be, and he is
hereby, authorized, under such rules as he may prescribe, to remit or re-
fund, as the case may require, such duties or fees to such collector or sur-
veyor or steamboat inspector.

SEC. 33. *And be it further enacted*, That in all cases in which the
fees and emoluments received by any collector or other principal officer
of the customs are, in the opinion of the Secretary of the Treasury, insuf-
ficient to afford a reasonable compensation for the services of such offi-
cer, after payment out of the same of reasonable incidental expenses of
the office, the said Secretary may direct that so much of the said inciden-
tal expenses as shall seem to him to be just shall be paid out of the ap-
propriation for paying the expenses of collecting the revenue; and the
said Secretary shall have the same power in regard to incidental expen-
ses which have heretofore been incurred, and which have not been settled
and paid into the treasury; and all fees paid into the treasury by cus-
toms officers shall be placed to the credit of the fund for defraying ex-
penses of collecting the revenue from customs.

SEC. 34. *And be it further enacted*, That the provisions of the first
section of the act entitled "An act relative to collectors and other officers of
customs," approved February eleven, eighteen hundred and forty-six, shall,
from and after the passage of this act, be applied and enforced in regard to
all officers, agents, and employés of the United States whomsoever, as
well those whose compensation is determined by a commission on dis-
bursements, not to exceed an annual maximum, as those paid by salary or
otherwise.

SEC. 35. *And be it further enacted*, That if any person shall, directly or
indirectly, at any time make or offer to make to any officer of the revenue,
or to any other person or persons authorized by this act to make searches

or seizures, any gratuity or present of money, or other thing of value, or give or offer any bribe or reward, of whatever nature, with intent to influence or induce such officer or other person or persons to do any act in violation of his or her or their official duty, or to refrain from doing anything which, under the law, it is or shall be his or her or their duty to do, or if any such officer or person shall ask or receive in any manner any such gratuity, present, bribe, or reward, every person so offending shall be liable to indictment, as for a high crime and misdemeanor, in any court of the United States having jurisdiction for the trial of crimes and misdemeanors, and shall, upon conviction thereof, be fined not exceeding three times the amount so offered, promised or given, asked or received, and imprisonment in a penitentiary not exceeding three years.

of revenue, &c.
any gift or
bribe, to induce
a violation of
official duty;
upon officer,
&c. for asking
or receiving any
gift or bribe.

Fine and im-
prisonment.

SEC. 36. *And be it further enacted*, That from and after the passage of this act no suit begun thereafter shall be maintained in any court for the recovery of duties alleged to have been erroneously or illegally exacted by collectors of customs, unless the plaintiff shall, within thirty days after due notice of the appearance of the defendant, either in person or by attorney, serve on the defendant or his attorney a bill of particulars of the plaintiff's demand, giving the name of the importer or importers, the description of the merchandise and place from which imported, the name or names of the vessel or vessels, or means of importation, the date of the invoice, the date of the entry at the custom-house, the precise amount of duty claimed to have been exacted in excess, the date of payment of said duties, the day and year on which protest was filed against the exaction thereof, the date of appeal thereon to the Secretary of the Treasury, and date of decision, if any, on such appeal. And if a bill of particulars, containing all the above-mentioned items, be not served as aforesaid, a judgment of non pros. shall be rendered against the plaintiff or plaintiffs in said action.

Suits for re-
covery of duties
illegally exacted
not hereafter to
be maintained,
unless plaintiff
within thirty
days after notice
of appearance of
defendant gives
bill of particu-
lars of his de-
mand.

Bill to state
what.

If such bill is
not served, judg-
ment to be en-
tered against the
plaintiffs.

SEC. 37. *And be it further enacted*, That parts of such building as shall be approved by the Secretary of the Treasury may be bonded for the storage of grain, under such rules, regulations, and conditions as he may prescribe for the security of the revenue, and that so much of the act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," approved March twenty-eight, eighteen hundred and fifty-four, as conflicts with this act be, and the same is hereby, repealed.

Parts of build-
ing may be bond-
ed for storage of
grain.

Repeal of
part of
1854, ch. 30.
Vol. x. p. 270.

SEC. 38. *And be it further enacted*, That for the purpose of estimating the duties on importations of grain, the number of bushels shall be ascertained by weight, instead of by measuring; and sixty pounds of wheat, fifty-six pounds of corn, fifty-six pounds of rye, forty-eight pounds of barley, thirty-two pounds of oats, sixty pounds of peas, and forty-two pounds of buckwheat, avoirdupois weight, shall respectively be estimated as a bushel.

Number of
bushels of grain
to be ascertained
by weight.

Number of
pounds to a
bushel.

SEC. 39. *And be it further enacted*, That in order to facilitate the execution of the provisions of the seventh section of the act entitled "An act to prevent and punish frauds upon the revenue, to provide for the more certain and speedy collection of claims in favor of the United States, and for other purposes," approved March three, eighteen hundred and sixty-three, relative to the seizure of "invoices, books, and papers," any district judge of the United States may hereafter issue his warrant or warrants and direct the same to any collector or collectors of the customs in whose respective districts any such invoices, books, or papers may be thought to be.

Warrants for
seizure of in-
voices, books,
and papers; who
may issue and
have seized.
1863, ch. 76, § 7.
Vol. xii. p. 740.

SEC. 40. *And be it further enacted*, That if any collector of the customs, or other officer or agent, shall neglect or refuse to comply with the provisions of the first section of the act entitled "An act requiring all moneys receivable from customs and from all other sources to be paid immediately into the treasury, without abatement or reduction, and for

Neglect, &c.
of any officer,
&c. to pay over
money received,
to be cause of
removal and for-
feiture of dues.

1849, ch. 110, § 1.
Vol. ix. p. 398.

Moneys received for custody to be accounted for as storage.

1841, ch. 35, § 5.
Vol. v. p. 432.

Masters of foreign vessels arriving in waters of the United States from foreign places adjacent to northern, &c. frontiers, to report at office of nearest collector.

Forfeiture.

Penalty upon collectors or inspectors of steamboats for not making returns, &c. required by law.

Repeal of certain acts, or parts of acts.

1795, ch. 48.
Vol. i. p. 441.

1840, ch. 26.
Vol. v. p. 381.

1793, ch. 8, § 10,
last clause.
Vol. i. p. 309.

1844, ch. 105, § 7.
Vol. v. p. 696.

1799, ch. 22, §
103.
Vol. i. p. 701.

1865, ch. 80, § 10.
Vol. xiii. p. 494.

Pending proceedings not affected.

other purposes," approved March three, eighteen hundred and forty-nine, he shall be subject to be removed from office, and to forfeit to the United States any share or part of the moneys withheld to which he might otherwise be entitled; and all moneys received by collectors for the custody of goods, wares, and merchandise in bonded warehouses, shall be accounted for as storage under the provisions of the fifth section of the act of March third, eighteen hundred and forty-one.

SEC. 41. *And be it further enacted*, That it shall be the duty of the master of any foreign vessel, laden or in ballast, arriving in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States, to report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter said waters; and such vessel shall not proceed further inland, either to unlade or take in cargo, without a special permit from such collector or deputy collector, issued under and in accordance with such general or special regulations as the Secretary of the Treasury may in his discretion, from time to time, prescribe. And for any violation of this section such vessel shall be seized and forfeited.

SEC. 42. *And be it further enacted*, That if any collector of the customs, supervising or local inspector of steamboats, or other officer, shall neglect or refuse to make any of the returns or reports which he is required to make at stated times by any act of Congress or regulation of the Treasury Department, other than his accounts, within the time prescribed by such act or regulation, he shall, upon conviction thereof before the district court of his district, forfeit and pay, for the use of the United States, any sum not less than one hundred dollars nor more than one thousand dollars.

SEC. 43. *And be it further enacted*, That the act entitled "An act for the more effectual recovery of debts due from individuals to the United States," approved March three, seventeen hundred and ninety-five; and the act entitled "An act to extend for a longer period the several acts now in force for the relief of insolvent debtors of the United States," approved May twenty-seven, eighteen hundred and forty; and the last clause of the tenth section of the act entitled "An act for enrolling and licensing ships and vessels to be employed in the coasting trade and fisheries, and for regulating the same," approved February eighteen, seventeen hundred and ninety-three, being all after the words "complied with"; and the seventh section of the act entitled "An act making appropriations for the civil and diplomatic expenses of the government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-five, and for other purposes," approved June seventeen, eighteen hundred and forty-four; and the one hundred and third section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March two, seventeen hundred and ninety-nine; and the tenth section of the act entitled "An act amendatory of certain acts imposing duties upon foreign importations," approved March three, eighteen hundred and sixty-five; and all other acts and parts of acts conflicting with or supplied by this act, be, and the same are hereby, repealed.

SEC. 44. *And be it further enacted*, That the provisions of this act shall not be deemed to affect any action or proceeding or indictment pending at the time this act shall take effect, but the same shall be tried, and disposed of, and judgment or decree executed as if this act had not been passed.

APPROVED, July 18, 1866.

CHAP. CCIL — *An Act to establish certain Post-Roads.*

July 18, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post-roads:—

Certain post-roads established.

NEW YORK.

New York.

From Tarrytown to White Plains.

MARYLAND.

Maryland.

From Beuna Vista, via Mitchellsville, to Coopersville.

RHODE ISLAND.

Rhode Island.

From Blackstone, via Pascoag, Slatersville, Mohegan, and Mapleville, to Burrillville.

IOWA.

Iowa.

From Des Moines, via Indianola and Chariton, to Luneville (State line).

From Des Moines, via McClain, Henry, Payton, Maseville, and Benson, to Grove City.

WISCONSIN.

Wisconsin.

From Arcadia, via Burnside and Hale, to Sumner.

From Dodgeville, via James's Mills, Wm. S. Bean's, and Booth Hollow, to Avoca.

From Green Bush, via Armstrong's Corners, Dundee, New Prospect, and Eble's Mills, to Barton.

From Wrightstown, via East Wrightstown, Morristown, and Maple Grove, to Pauquette.

From Spring Green, via Plain and White Mound, to Reedsburg.

MINNESOTA.

Minnesota.

From Wilton, via Swan Lake, to Blue Earth City.

From Redwood Falls, on the Minnesota River, via Big Stone Lake, Fort Wadsworth, and Fort Berthold, to Fort Union, Montana Territory.

From De Luth to the Falls of Vermillion River.

From Little Falls, via Long Prairie, to Alexandria.

From Sauk Centre, via Westport, Lake Amelia, Reno City, Lake Tokan, Big Stone Lake, and Lake Traverse, to Fort Wadsworth, Dakota Territory.

From Saint Peter, via Lake Prairie, Kelso, and Dryden, to New Auburn.

From Shakopee, via Maple Glenn, New Dublin, New Market, and Cedar Lake, to Oral, returning thence by Helena, Lydia, and Marystown, to Shakopee.

From Winona, via Eau Claire, Chippewa, Mondovi, to Chippewa Falls, Wisconsin.

From Red Wing, via Thomas Carney's Mill, Wisconsin, to Ellsworth.

From Crow Wing, via Otter Tail City and Monta, to Fort Abercrombie, Dakota Territory.

From Elk River, via Pleasant Valley, to Spencer Brook.

From Monticello, via Buffalo, to Watertown.

From Buffalo, via Maple Lake to Fremont.

KANSAS.

Kansas.

From Junction City, via south side of Republican River, Quimby's Cain's Settlement, and Elk Creek, to Washington.

From Junction City to Batchelder.

From Pleasant Hill, Missouri, via High Blue, Aubrey, Squiresville, Kansas, and Spring Hill, to Baldwin City.

From Media to Oskaloosa.

From American City, via Savannah, to Vienna.

From Ottawa, via Berea, Mount Getiad, and Oakwood, to Mound City.

Missouri.

MISSOURI.

From Kansas City, via Little Santa Fe, Aubrey, Kansas, Cold Water Grove, Rockville, and Trading Post, to Fort Scott.

Arkansas.

ARKANSAS.

From Fayetteville, via Rhea's Mill, Cincinnati, and Telegraph, to Fort Gibson.

Mississippi.

MISSISSIPPI.

From Ripley to Saulsbury, Tennessee.

Alabama.

ALABAMA.

From Tuscaloosa, via Foster's store, Union, and Clinton, to Gainesville.

Montana.

MONTANA TERRITORY.

From Sioux City, Iowa, via the Nebraska and Yellow Stone River routes, to Walla Walla, Washington Territory.

Nevada.

NEVADA.

From Wellington Station, via Mammoth and Ione, to Austin.

From Virginia City to American City.

From Aurora, via Columbus, to Silver Peak.

From Austin, via Kingston, Ophir Canon, and San Antonia, to Silver Peak.

From Ione, via Ophir Canon, Boiling Springs, and San Antonia, to Crystal Springs.

Oregon.

OREGON.

From Oregon City, via Cutting Mill, Glad Tidings, Silverton, Sublimity, and Scio, to Lebanon.

From Portland, via Union School House, Philip Foster's on Clackemas, and Cuttingsville, to Silverton.

From Dallas, via Antelope Valley, Camp Watson, John Day City, Canyon City, Marysville, Union, Strawberry Valley, Camp Logan, and Willow Creek, to Boise City, Idaho Territory.

From Canyon City, via Susanville, Elk District, Trues Station, Olin Creek, Independence, and Auburn, to Baker City.]

California.

CALIFORNIA.

From Los Angeles to Havilah City, in Tulare County.

From Drytown to El Dorado.

From Quincy, via Jamison City, Eureka Mills, Seventy-Six, Red Clover Valley, Mohawk, Little Humbug, and Beckworth's, to Sierra Valley.

From Auburn, via Greenwood, to Georgetown.

From San Rafael, via Olema and Bolimas, to Petaluma.

From Woodland, via Cache Creek, to Buckeye.

West Virginia.

WEST VIRGINIA.

From Sistersville, in Tyler County, via Twiggs, to Hebron, in Pleasants County.

From Sago, in Upshur County, to Huttonsville, in Randolph County.

ILLINOIS.

Illinois.

From Winchester to Manchester.

From Elkhart, in Logan County, direct to Sweet Water, in Menard County.

INDIANA.

Indiana.

From Nashville, in the county of Brown, to Morgantown, in the county of Morgan.

APPROVED, July 18, 1866.

CHAP. CCVIII. -- *An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty seven, and for other Purposes.* July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, namely: Legislative, executive, and judicial expenses appropriation.

Legislative.— For compensation and mileage of senators, two hundred and fifty-two thousand five hundred dollars.

Legislative.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail-carrier, one thousand four hundred and forty dollars; two mail boys, at one thousand dollars each; superintendent of the document-room, one thousand five hundred dollars; two assistants in document-room, at one thousand two hundred dollars each; superintendent of the folding-room, one thousand five hundred dollars; three messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; sixteen messengers, at one thousand two hundred dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the committee on finance, one thousand eight hundred and fifty dollars; clerk to the committee on claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; superintendent in charge of the furnaces, one thousand two hundred dollars; assistant in charge of furnaces, seven hundred and twenty dollars; laborer in charge of private passages, seven hundred and twenty dollars; two laborers at seven hundred and twenty dollars each; chaplain to the Senate, seven hundred and fifty dollars; one special policeman, seven hundred and twenty dollars; making eighty thousand nine hundred and fifty-four dollars.

Pay and mileage of senators, officers, clerks, &c.

For contingent expenses of the Senate, viz: —

For stationery, seventeen thousand dollars.

For newspapers, five thousand dollars.

For Congressional Globe, twenty thousand dollars.

Contingent expenses.
Stationery.
Newspapers.
Congressional Globe.

For reporting proceedings in the Daily Globe for the second session of the thirty-ninth Congress, twelve thousand dollars.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate Additional compensation to reporters.

for the second regular session of the thirty-ninth Congress, eight hundred dollars each, four thousand dollars.

Globe and Appendix; sets to new senators.
Proviso.

For one complete set of the Congressional Globe and Appendix for each senator in the thirty-ninth Congress who has not already received them: *Provided, however,* That any senator who has already, as a member of the House of Representatives, received a portion of a set of the Congressional Globe, shall only be entitled to receive as such senator the additional volumes required to complete one full set, six thousand eight hundred dollars.

Globe and Appendix.

For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and laws of the United States, twelve thousand nine hundred dollars.

Clerks to committees, &c.

For clerks to committees, pages, horses, and carryalls, twenty thousand dollars.

Capitol police.
Proviso.

For capitol police, twenty-one thousand four hundred and eighty dollars: *Provided,* That three hundred and thirty dollars of the appropriation for the capitol police may be used during the present fiscal year.

Heating and ventilating.

For expenses of heating and ventilating apparatus, twenty thousand five hundred dollars.

Miscellaneous.
Pay and mileage of representatives, &c.;
of officers,
clerks, &c.

For miscellaneous items, thirty thousand dollars.

For compensation and mileage of members of the House of Representatives and delegates from Territories, one million dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: clerk of the House of Representatives, three thousand six hundred dollars; chief clerk and one assistant clerk, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, at four dollars and eighty cents per day, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; messenger to the speaker, at four dollars and eighty cents per day, one thousand seven hundred and fifty-two dollars; clerk to the committee of ways and means, two thousand one hundred and sixty dollars; clerk to the committee on appropriations, two thousand one hundred and sixty dollars; clerk to the committee of claims, one thousand eight hundred dollars; clerk to the committee on public lands, one thousand eight hundred dollars; sergeant-at-arms, two thousand one hundred and sixty dollars; clerk to the sergeant-at-arms, one thousand eight hundred dollars; messenger to the sergeant-at-arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; assistant postmaster, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; capitol police, twenty-one thousand four hundred and eighty dollars: *Provided,* That three hundred and thirty dollars of the appropriation for the capitol police may be used during the present fiscal year; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding-room, one thousand eight hundred dollars; superintendent of the document-room and assistant, at one thousand seven hundred and fifty-two dollars; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; twelve messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; chaplain to the House of Representatives, seven hundred and fifty dollars; for stenographer, thirty-six hundred and fifty dollars; making one hundred and thirteen thousand one hundred and forty dollars.

Contingent expenses of House.
Cartage.

For contingent expenses of the House of Representatives, viz: —
For cartage, two thousand dollars.

For clerks to committees and temporary clerks of the House of Representatives, eighteen thousand five hundred and seventy-six dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second regular session of the thirty-ninth Congress, and one hundred copies of the same for the House Library, seventeen thousand seven hundred and ninety-six dollars.

For paying the publishers of the Congressional Globe and Appendix, according to the number of copies taken, one cent for every five pages exceeding three thousand, including the indexes and the laws of the United States, eight thousand five hundred and fifty dollars.

For folding documents, including materials, thirty thousand dollars.

For fuel and lights, pay of engineers, firemen, and laborers, repairs, and materials, fifteen thousand dollars.

For furniture, repairs, and packing-boxes for members, ten thousand dollars.

For horses, carriages, and saddle horses, nine thousand dollars.

For laborers, eight thousand four hundred dollars.

For miscellaneous items, thirty thousand dollars.

For newspapers, twelve thousand five hundred dollars.

For pages and temporary mail boys, ten thousand dollars.

For reporting and publishing proceedings in the Daily Globe, ten thousand five hundred dollars.

For stationery, eighteen thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second regular session of the thirty-ninth Congress, eight hundred dollars each, four thousand eight hundred dollars.

Public Printing.—For compensation of the superintendent of public printing, and the clerks and messengers in his office, eleven thousand five hundred and fourteen dollars.

For contingent expenses of his office, viz: for stationery, postage, advertising, furniture, travelling expenses, horses and wagons, and miscellaneous items, two thousand dollars.

For the public printing, three hundred and sixty-nine thousand four hundred dollars.

For paper for the public printing, four hundred and fifty-six thousand eight hundred and ninety-two dollars.

For the public binding, three hundred and fifty-two thousand two hundred and four dollars.

For mapping in cases pending in the Supreme Court of the United States, three thousand dollars.

For lithographing and engraving for the Senate and House of Representatives, seventy-five thousand dollars.

To enable the Secretary of the Interior to purchase of Messrs. Little, Brown, and Company two thousand copies of the thirteenth volume of the United States Statutes at Large, for distribution agreeably to the acts of Congress directing the distribution of the other volumes, seven thousand dollars.

Library of Congress.—For compensation of librarian, five assistant librarians, messenger, and laborers, twelve thousand six hundred dollars.

For contingent expenses of said library, two thousand dollars.

For purchase of books for said library, eight thousand dollars.

For purchase of law books for said library, two thousand dollars.

For botanic garden, grading, draining, procuring manure, tools, fuel, and repairs, and purchasing trees and shrubs, under the direction of the library committee of Congress, three thousand three hundred dollars.

For pay of superintendent and assistants, and assistants in botanic garden and greenhouses, under direction of the library committee of Congress, six thousand one hundred and forty-five dollars and eighty cents.

Clerks to committees and temporary clerks.
Globe and Appendix.

Folding.

Fuel, lights, &c

Furniture.

Horses, carriages, &c.
Laborers.
Miscellaneous.
Newspapers.

Pages, &c.

Reporting, &c.
in Daily Globe.

Stationery.

Additional pay
to reporters.

Public printing.
Pay of superintendent, clerks, &c.
Contingencies.

Public printing.

Paper for public printing.

Binding.

Mapping.

Lithographing and engraving.

Statutes at Large, vol. xiii.

Library of Congress.
Pay of librarian, &c.
Contingencies.
Books.

Botanic garden and greenhouses.

Superintendent and assistants.

Files of newspapers.	For purchasing files of the leading American newspapers for said library, one thousand five hundred dollars.
Court of claims. Judges, solicitor, &c.	<i>Court of Claims.</i> — For salaries of five judges of the court of claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk and bailiff thereof, thirty-five thousand five hundred dollars. For stationery, books, fuel, labor, and other contingent and miscellaneous expenses, three thousand dollars.
Attorneys to take testimony.	For compensation of attorneys to attend to taking testimony, witnesses, and commissioners, one thousand dollars.
Payment of judgments in favor of claimants.	For payment of judgments rendered by the court in favor of claimants, in addition to the unexpended balance of the appropriation for the fiscal year ending June thirty, eighteen hundred and sixty-five, five hundred thousand dollars: <i>Provided</i> , That judgments already rendered may be paid out of this appropriation at any time after the passage of this act.
Proviso.	
President.	<i>Executive.</i> — For compensation of the President of the United States, twenty-five thousand dollars.
Secretary, steward, &c.	For compensation of secretary to sign patents for public lands, one thousand five hundred dollars. For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.
Contingencies.	For contingent expenses of the Executive office, including stationery therefor, four thousand dollars.
Department of State. Pay of Secretary, &c.	<i>Department of State.</i> — For compensation of the Secretary of State and assistant secretary of state, chief clerk, superintendent of statistics, clerks, messenger, assistant messenger, and laborers in his office, fifty-eight thousand three hundred dollars. For increase to one messenger, one hundred dollars. For increase to assistant, one hundred and forty dollars.
Contingent expenses. Pamphlet laws, &c.	<i>For the Incidental and Contingent Expenses of the Department of State.</i> — For publishing the laws in pamphlet form and in newspapers of the States and Territories, and in the city of Washington, twenty-five thousand dollars.
Publishing laws in lately insurgent States.	For publishing the laws of the thirty-seventh and thirty-eighth congresses in two newspapers in each of the lately insurgent States, fifteen thousand dollars.
Proof-reading, &c.	For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, four thousand dollars.
Stationery, &c.	For stationery, blank books, furniture, fixtures, and repairs, five thousand dollars.
Miscellaneous.	For miscellaneous items, two thousand five hundred dollars.
Copper-plate printing, &c.	For copper-plate printing, books, and maps, five thousand dollars.
Extra clerk hire, &c.	For extra clerk hire and copying, ten thousand dollars.
Northeast executive building.	<i>For the General Purposes of the Northeast Executive Building.</i> — For compensation of four watchmen and two laborers of the northeast executive building, three thousand six hundred dollars. For contingent expenses of said building, viz: for fuel, lights, repairs, and miscellaneous expenses, five thousand five hundred dollars.
Treasury Department. Pay of Secretary, assistants, &c.	<i>Treasury Department.</i> — For compensation of the Secretary of the Treasury, two assistant secretaries of the treasury, chief clerk, supervising architect and assistant architect, clerks, messengers, assistant messenger, and laborers, one hundred and eighteen thousand two hundred dollars.
1st comptroller.	For compensation of the first comptroller, chief clerk, and the clerks, messengers, and laborers in his office, forty-seven thousand nine hundred and forty dollars.
2d comptroller.	For compensation of the second comptroller, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office, one hundred and thirty-four thousand three hundred and eighty dollars.

For compensation of the first auditor, chief clerk, and the clerks, messenger, assistant messenger, and laborer in his office, fifty-nine thousand two hundred and forty dollars. 1st auditor.

For compensation of the second auditor, chief clerk, and the clerks, messenger, assistant messengers, and laborers in his office, five hundred and twenty-one thousand one hundred and sixty dollars. 2d auditor.

For compensation of the third auditor, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, three hundred and eighty-two thousand and eighty dollars. 3d auditor.

For compensation of the fourth auditor, chief clerk, and the clerks, messenger, and assistant messenger, and laborer in his office, one hundred and ten thousand five hundred and forty dollars. 4th auditor.

For compensation of the fifth auditor, chief clerk, and the clerks, messenger, and laborer in his office, forty-seven thousand eight hundred and forty dollars. 5th auditor.

For compensation of the auditor of the treasury for the Post Office Department, chief clerk, and the clerks, messenger, assistant messenger, and the laborers in his office, one hundred and ninety-one thousand five hundred and forty dollars. Auditor for Post Office Department.

For compensation of the treasurer of the United States, assistant treasurer, cashier, assistant cashier, chiefs of division, book-keepers, tellers, assistant tellers, chief clerk, and the clerks, messengers, assistant messengers, and laborers in his office, one hundred and sixty-nine thousand three hundred and eighty dollars. Treasurer, assistant treasurer, &c.

For compensation of the register of the treasury, assistant register, chief clerk, and the clerks, messengers, assistant messenger, and laborers in his office, ninety thousand eight hundred and forty dollars. Register, assistant register, &c.

For compensation of the solicitor of the treasury, chief clerk, and the clerks and messenger in his office, eighteen thousand three hundred and forty dollars. Solicitor.

For compensation of the commissioner of customs, chief clerk, and the clerks, messenger, and laborer in his office, forty thousand six hundred and forty dollars. Commissioner of customs.

For compensation of the chief clerk, clerks, messenger, and laborer of the light-house board, nine thousand two hundred and forty dollars. Light-house board.

For compensation of the comptroller of the currency, deputy comptroller, clerks, messengers, and laborers, one hundred and twenty thousand two hundred dollars. Comptroller of the currency.

For paper, special dies, and printing of circulating notes, and expenses necessarily incurred (including express charges) in procuring the same, in the office of the comptroller of the currency, one hundred and fifty thousand dollars. Paper, special dies, and printing of circulating notes.

For salaries of commissioner, deputy commissioner, and clerks of internal revenue office, together with rent, dies, paper, and so forth, for stamps and incidental expenses, including the cost of subscription to such number of copies of the "Internal Revenue Record and Customs Journal" as the Secretary of the Treasury may deem necessary to supply the revenue officers, one million dollars. Commissioner, &c. of internal revenue.

For office furniture, maps, labor, miscellaneous items, and other contingent expenses for the office of the commissioner of internal revenue, fifty thousand dollars. Office furniture, &c.

Contingent Expenses of the Treasury Department. — In the office of the Secretary of the Treasury :

For copying, labor, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, fifty thousand dollars. Contingent expenses of Treasury Department; in office of the Secretary.

For compensation of temporary clerks in the Treasury Department, and for additional compensation to officers and clerks in the same department, Pay of temporary clerks.

Clerks may be classified.

Part of former unexpended appropriation to be how divided.

1865, ch. 73.
Vol. xiii. p. 450.

one hundred and sixty thousand dollars: *Provided*, That the temporary clerks herein provided for may be classified according to the character of their services: *Provided further*, That so much of the appropriation of two hundred and fifty thousand dollars, granted by act approved March second, eighteen hundred and sixty-five, for compensation of temporary clerks in the Treasury Department, and for additional compensation to clerks in the same department, as remains unexpended shall be divided as follows, viz: one hundred dollars each shall be paid to the clerks in said department of the first and second classes, who have not received any additional compensation out of said appropriation, and who shall have served in said capacity for one year previous to July first, eighteen hundred and sixty-six. And one hundred dollars shall be paid to each person employed in said department appointed by the Secretary, at an annual salary amounting to less than twelve hundred dollars, and who shall have served under such appointment for one year previous to July first, eighteen hundred and sixty-six. And if the balance of said appropriation remaining unexpended shall be insufficient to pay said clerks and appointees, the sum of one hundred dollars each, as herein provided, the deficiency shall be supplied and paid out of any money in the treasury not otherwise appropriated.

Contingent expenses in the office of 1st comptroller;
of 2d comptroller;

In the office of the first comptroller:

For furniture, public documents, State and Territorial statutes, postage, and miscellaneous items, one thousand dollars.

In the office of the second comptroller:

For blank books, binding, furniture, and miscellaneous items, including subscription to one city newspaper, to be bound and preserved for the use of the office, four thousand dollars.

of 1st auditor;

In the office of the first auditor:

For stationery, office furniture, and miscellaneous items, one thousand five hundred dollars.

of 2d auditor;

In the office of the second auditor:

For office furniture and miscellaneous items, including two of the city newspapers, to be filed and preserved for the use of the office, twenty-five thousand dollars.

of 3d auditor;

In the office of the third auditor:

For office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items, fifteen thousand dollars.

of 4th auditor;

In the office of the fourth auditor:

For contingent expenses of the office, including two daily newspapers, three thousand dollars.

of 5th auditor;

In the office of the fifth auditor:

For postage, furniture, and miscellaneous expenses, in which are included two daily newspapers, two thousand dollars.

of auditor for Post Office Department;
of treasurer;

In the office of the auditor for the Post Office Department:

For contingent expenses of the office, six thousand dollars.

In the office of the treasurer:

For contingent expenses of the office, seven thousand five hundred dollars.

of register;

In the office of the register:

For arranging and binding cancelled marine papers, and for official papers and records, and miscellaneous items, including office furniture, eight thousand dollars.

of solicitor;

Office of the solicitor of the treasury:

For books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, and for care of library, two thousand two hundred dollars.

of commissioner of customs.

Office of the commissioner of customs:

For stationery, miscellaneous items, and office furniture, three thousand dollars.

Light-house board, viz :

For miscellaneous expenses and postage, six hundred dollars.

Office of the comptroller of the currency :

For furniture and miscellaneous items, five thousand dollars.

For stationery for the Treasury Department and its several bureaus, one hundred and twenty-five thousand dollars.

For the General Purposes of the Southeast Executive Building, including the Extension.— For compensation of twelve watchmen and eleven laborers of the southeast executive building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, viz : for fuel, light, labor, and miscellaneous items, seventy-five thousand dollars.

For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building, two thousand dollars.

Department of the Interior.— For compensation of the Secretary of the Interior, assistant secretary, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-six thousand three hundred and eighty dollars.

For compensation of the commissioner of the general land office, chief clerk, recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

For compensation of additional clerks in the general land office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand six hundred and forty dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

For compensation of the commissioner of Indian affairs, chief clerk, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

For compensation of the commissioner of pensions, chief clerk, and the clerks, messengers, assistant messengers, watchman, and laborers in his office, two hundred and fifteen thousand three hundred and forty dollars.

For additional clerks in the pension office, twenty-one thousand dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and is hereby, authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

Contingent Expenses—Department of the Interior.— Office of the Secretary of the Interior:

For stationery, furniture, and other contingencies, and for books and maps for the library, seven thousand dollars.

For casual repairs of the patent office building, twelve thousand five hundred dollars.

For expenses of packing and distributing congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars.

For fuel and lights for the patent office building, including the salaries of engineer and assistant engineer of the furnaces, eighteen thousand dollars.

Office of the commissioner of Indian affairs :

For blank books, binding, stationery, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, four thousand dollars.

Contingent expenses of light-house board; of comptroller of currency.

Stationery.

Southeast executive building.

Department of the Interior. Pay of Secretary, &c.;

of commissioner of general land office;

of additional clerk. 1855, ch. 207. Vol. x. p. 701. Proviso.

Of commissioner of Indian affairs;

of commissioner of pensions;

additional clerks; Proviso.

Contingent expenses.

Office of Secretary.

Patent Office.

Distributing journals and documents. Vol. xi. p. 253. 1857, ch. 22. Vol. xi. p. 379.

Fuel and light.

Office of commissioner of Indian affairs.

Contingent expenses of commissioner of pensions;

of commissioner of public buildings;

Surveyors general and their clerks.

Office in Wisconsin and Iowa, when to be abolished.

Recorder of land titles in Missouri.

Expenses of courts of the United States, safe-keeping of prisoners, and prosecution of crime.

Office of the commissioner of pensions:

For stationery, engraving, and retouching plates for bounty land warrants, and binding the same, office furniture, and repairing the same, and miscellaneous items, including two city daily newspapers, to be filed, bound, and preserved for the use of the office, fifteen thousand dollars.

Office of the commissioner of public buildings:

For compensation of the commissioner of public buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

For stationery, blank books, plans, drawings, and other contingent expenses of his office, five hundred dollars.

Surveyors General and their Clerks.—For compensation of the surveyor-general of Wisconsin and Iowa, and clerks for completing and winding up the business in his office, four thousand eight hundred dollars: *Provided*, That when this appropriation shall have been exhausted, the said office shall be abolished.

For compensation of the surveyor-general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

For compensation of the surveyor-general of the Territories of Dakota and Montana, and the clerks in his office, six thousand three hundred dollars.

For compensation of the surveyor-general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.

For compensation of the surveyor-general of the Territories of Colorado, Utah, and Idaho, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor-general of New Mexico and Arizona, three thousand dollars.

For compensation of the surveyor-general of California and Nevada, and the clerks in his office, fourteen thousand dollars.

For compensation of the surveyor-general of Oregon, and the clerks in his office, six thousand five hundred dollars.

For compensation of the surveyor-general of Washington Territory, and the clerks in his office, six thousand five hundred dollars.

For compensation of recorder of land titles in Missouri, five hundred dollars.

For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, fifteen hundred dollars.

For rent of surveyor-general's office of California and Nevada, fuel, books, stationery, and other incidental expenses, including pay of messenger, five thousand dollars.

For office rent for the surveyor-general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For office rent of the surveyor-general of Kansas and Nebraska, fuel, and incidental expenses, two thousand dollars.

For rent of surveyor-general's office in the Territories of Dakota and Montana, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office for the surveyor-general of Colorado, Utah, and Idaho Territories, fuel, books, stationery, and other incidental expenses, one thousand five hundred dollars.

Expenses of Courts of the United States.—For defraying the expenses of the supreme court and district courts of the United States, including the District of Columbia, and also for jurors and witnesses, in aid of funds arising from fines, penalties, and forfeitures, in the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and previous years, and likewise for defraying the expenses of suits in which the United States are concerned, including legal assistance to the attorney-general, and other special and extraordinary expenditures, in cases in the Supreme Court of the United States, in which the United States are concerned, and of pros-

ecutions for offences committed against the United States, and for the safe-keeping of prisoners, in addition to the unexpended balances of appropriations to the credit of the judiciary fund on June thirtieth, eighteen hundred and sixty-six, required to meet the expenses of the courts being re-established in the Southern States, so much of the act of March two, eighteen hundred and sixty-five, carrying said unexpended balances of appropriations into the treasury being, and the same is hereby, repealed, and to replace to the credit of the judiciary fund the amount of four thousand dollars, withdrawn therefrom and expended upon the custom-house at New Orleans, three hundred and four thousand dollars.

To enable the Secretary of the Interior to pay the balance due for work done on, and materials furnished for, that part of the custom-house building at New Orleans, reserved for the use of the Federal courts, four thousand two hundred and sixty-eight dollars and sixty-five cents.

War Department. — For compensation of the Secretary of War, assistant secretaries of war, solicitor, chief clerk, and the clerks, messenger, assistant messengers, and laborer in his office, sixty-three thousand eight hundred and eighty dollars.

For compensation of the clerks and messengers in the office of the adjutant-general, two hundred and twenty-three thousand nine hundred and twenty dollars.

For compensation of the clerks, messengers, assistant messengers, and laborers, in the office of the quartermaster-general, three hundred and ninety thousand one hundred and sixty dollars.

For compensation of the clerks, messengers, assistant messengers, and laborers, in the office of the paymaster-general, two hundred and eight thousand four hundred dollars: *Provided*, That the annual compensation of the chief clerk in the office of the paymaster-general, from the first day of July, eighteen hundred and sixty-six, shall be two thousand dollars; and the third-class clerks in said office are hereby reduced three in number, and the fourth-class clerks are hereby increased three in number.

For compensation of the clerks, messenger, and laborers in the office of the commissary-general, eighty-five thousand six hundred and forty dollars.

For compensation of the clerks, messenger, and laborer in the office of the surgeon-general, forty-three thousand eight hundred and forty dollars.

For compensation of the clerks, messengers, and laborer in the office of the chief engineer, twenty-eight thousand seven hundred and forty dollars.

For compensation of the clerks and messenger in the office of the colonel of ordnance, sixty thousand and forty dollars.

For compensation of the clerks in the office of military justice, seven thousand two hundred dollars.

Contingent Expenses of the War Department. — Office of the Secretary of War:

For blank books, stationery, labor, books, maps, extra clerk hire, and miscellaneous items, twenty thousand dollars.

Office of the adjutant-general:

For blank books, stationery, binding, and miscellaneous items, twenty-five thousand dollars.

Office of the quartermaster-general:

For blank books, stationery, binding, and miscellaneous items, twenty thousand dollars.

Office of the paymaster-general:

For blank books, stationery, binding, and miscellaneous items, ten thousand dollars.

Office of the commissary-general:

For blank books, stationery, and binding, including rent of office and hire of watchmen, twenty thousand dollars.

Law requiring unexpended balances of appropriations for the judiciary fund, to return to treasury, repealed. 1865, ch. 73. Vol. xiii. p. 452.

Building for Federal courts in New Orleans.

War Department. Pay of Secretary, &c.

Office of adjutant-general;

of quartermaster-general;

of paymaster-general;

number and pay of certain clerks;

of commissary-general;

of surgeon-general;

of chief engineer;

of colonel of ordnance;

of military justice.

Contingent expenses.

Office of Secretary of War;

of adjutant-general;

of quartermaster-general;

of paymaster-general;

of commissary-general.

Contingent expenses in office of chief engineer;

of surgeon-general;

of chief of ordnance;

of military justice.

Northwest executive building.

Building corner F and 17th streets.

Building corner F and 15th streets.

Navy Department.
Pay of Secretary, &c.

Bureau of yards and docks;

of equipment and recruiting;

of navigation;

of ordnance;

of construction and repair;

of steam engineering;

of provisions and clothing;

of medicine and surgery.

Contingent expenses.
Office of Secretary of Navy.

Bureau of yards and docks.

Office of the chief engineer:

For blank books, stationery, binding, and miscellaneous items, three thousand five hundred dollars.

Office of the surgeon-general:

For blank books, stationery, binding, and miscellaneous items, including rent of office, fifteen thousand dollars.

Office of the chief of ordnance:

For blank books, stationery, binding, and miscellaneous items, ten thousand dollars.

Office of military justice:

For blank books, stationery, binding, and miscellaneous items, one thousand five hundred dollars.

For the General Purposes of the Northwest Executive Building.— For compensation of superintendent, four watchmen, and two laborers of the northwest executive building, three thousand eight hundred and fifty dollars.

For labor, fuel, light, and miscellaneous items, twenty thousand dollars.

For the General Purposes of the Building corner of F and Seventeenth streets.— For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of firemen, and miscellaneous items, ten thousand dollars.

For the General Purposes of the Building corner of F and Fifteenth streets.— For superintendent, watchmen, rent, fuel, lights, and miscellaneous items, fifteen thousand dollars.

Navy Department.— For compensation of the Secretary of the Navy, assistant secretary of the navy, solicitor and naval judge-advocate-general, chief clerk, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-eight thousand one hundred and forty dollars.

For compensation of the chief of the bureau of navy yards and docks, and the civil engineer, chief clerk, clerks, messenger, and laborers in his office, nineteen thousand two hundred and forty dollars.

For compensation of the chief of the bureau of equipment and recruiting, chief clerk, and the clerks, messenger, and laborer in his office, sixteen thousand one hundred and forty dollars.

For compensation of the chief of the bureau of navigation, chief clerk, and the clerks, messenger, and laborer in his office, nine thousand three hundred and forty dollars.

For compensation of the chief of the bureau of ordnance, and the assistant, chief clerk, clerks, draughtsman, messenger, and laborers in his office, eighteen thousand eight hundred and twenty dollars.

For compensation of the chief of the bureau of construction and repair, chief clerk, and the clerks, draughtsman, messenger, and laborer in his office, sixteen thousand three hundred and forty dollars.

For compensation of the chief of the bureau of steam engineering, chief clerk, and the clerks, draughtsman, messenger, and laborer in his office, ten thousand seven hundred and forty dollars.

For compensation of the chief of the bureau of provisions and clothing, chief clerk, and the clerks, messenger, and laborer, twenty-four thousand three hundred and forty dollars.

For compensation of the chief of the bureau of medicine and surgery, assistant, and the clerks, messenger, and laborer in his office, ten thousand five hundred and forty dollars.

Incidental and Contingent Expenses of the Navy Department.— Office of the Secretary of the Navy:

For stationery, labor, newspapers, periodicals, and miscellaneous items, five thousand dollars.

Bureau of yards and docks:

For stationery, books, plans, drawings, and incidental labor, one thousand eight hundred dollars.

Bureau of equipment and recruiting :	Bureau of equipment and recruiting ;
For stationery, books, and miscellaneous items, five hundred dollars.	
Bureau of navigation :	of navigation ;
For stationery, blank books, and miscellaneous items, two thousand four hundred dollars.	
Bureau of ordnance :	of ordnance ;
For stationery and miscellaneous items, one thousand three hundred dollars.	
Bureau of construction and repair :	of construction and repair ;
For stationery and miscellaneous items, one thousand dollars.	
Bureau of steam engineering :	of steam engineering ;
For stationery and miscellaneous items, two thousand five hundred dollars.	
Bureau of provisions and clothing :	of provisions and clothing ;
For stationery and miscellaneous items, one thousand five hundred dollars.	
Bureau of medicine and surgery :	of medicine and surgery
For blank books, stationery, and miscellaneous items, eight hundred dollars.	
To defray the expense of introducing water into the naval academy grounds and buildings at Annapolis, Maryland, nine thousand dollars.	Water at naval academy.
<i>For the General Purposes of the Southwest Executive Building.</i> — For compensation of five watchmen and two laborers of the southwest executive building, four thousand seven hundred and fifty-two dollars.	Southwest executive building.
For contingent expenses of said building, viz :	
For labor, fuel, lights, and miscellaneous items, seven thousand five hundred dollars.	
<i>Post Office Department.</i> — For compensation of the Postmaster-General, three assistant postmasters-general, chief clerk, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and seventy-seven thousand seven hundred and twenty dollars.	Post Office Department. Pay of Postmaster-General, &c.
For compensation of authorized additional and for temporary clerks, thirty-seven thousand dollars.	
<i>Contingent Expenses of the Post Office Department.</i> — For blank books, binding, and stationery, fuel for the general post office building, including the auditor's office, oil, gas, and candles, printing, repair of the general post office building, office furniture, glazing, painting, white-washing, and for keeping the fireplaces and furnaces in order ; for engineer for steam-engine, laborers, watchmen, repairs of furniture, and for miscellaneous items, forty-five thousand dollars.	Contingent expenses of Post Office Department.
<i>Money Order Bureau.</i> — For compensation of superintendent and the clerks in his office, seven thousand five hundred dollars.	Money order bureau.
<i>Topographer.</i> — For preparing and publishing post-route maps of the United States, ten thousand dollars.	Topographer.
<i>Department of Agriculture.</i> — For compensation of commissioner of agriculture, chief clerk, and the clerks and employés in this office, thirty-nine thousand six hundred dollars.	Department of agriculture.
For contingencies, viz : For stationery, purchase of library, laboratory, rent, and miscellaneous items, eleven thousand five hundred dollars.	Contingencies.
For collecting agricultural statistics, ten thousand dollars.	Agricultural statistics.
For purchase and distribution of new and valuable seeds, viz :	Purchase and distribution of seeds.
For purchase of cereal, vegetable, and flower seeds, and for labor in putting up seeds, seed bags, and miscellaneous items, sixty thousand dollars: <i>Provided</i> , That the commissioner of agriculture shall only purchase and distribute, with the fund herein appropriated for that purpose, such seeds as are rare and uncommon to the country, or such as can be made more profitable by frequent changes from one part of our own country to another.	Proviso.

- For employés in seed-room, five thousand two hundred dollars.
- Propagation, &c. of plants, cuttings, and shrubs. Proviso. For propagation and distribution of plants, cuttings, and shrubs, fourteen thousand dollars: *Provided*, That the propagation of plants, cuttings, and shrubs shall be confined to such as are adapted to general cultivation and to promote the general interests of horticulture and agriculture throughout the United States.
- Experimental garden. For experimental garden in reservation number two, eight thousand eight hundred dollars.
- Mint at Philadelphia. *Mint at Philadelphia.* — For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, and seven clerks, thirty-five thousand five hundred dollars.
- For wages of workmen and adjusters, one hundred and twenty-five thousand dollars.
- For specimens of ores and coins to be preserved in the cabinet of the mint, six hundred dollars.
- Branch at San Francisco. For freight on bullion and coin, five thousand dollars.
- Branch Mint at San Francisco, California.* — For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty-two thousand dollars.
- For wages of workmen and adjusters, two hundred thousand dollars.
- For incidental and contingent expenses, repairs and wastage, one hundred thousand dollars.
- Assay office, New York. *Assay Office, New York.* — For salaries of superintendent, assayer and melter, and refiner, assistant assayer, officers and clerks, twenty-five thousand seven hundred dollars.
- For wages of workmen, forty thousand dollars.
- For incidental and contingent expenses, thirty-five thousand dollars.
- Branch mint at Denver. *Branch Mint at Denver.* — For superintendent, assayer, melter, refiner, coiner, and clerks, thirteen thousand dollars.
- For wages of workmen, twenty thousand three hundred and one dollars.
- For incidental and contingent expenses, twelve thousand dollars.
- Independent treasury. *Independent Treasury.* — For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and St. Louis, viz: for the assistant treasurer at New York, eight thousand dollars; those at Boston and Saint Louis, each, five thousand dollars; and the one at Charleston, two thousand five hundred, — twenty thousand five hundred dollars.
- Additional salary of treasurer at Philadelphia; at New Orleans; at Denver. For additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.
- For additional salary of the treasurer of the branch mint at New Orleans, five hundred dollars.
- For additional salary of the treasurer of the branch mint at Denver, five hundred dollars.
- Clerks at office of assistant treasurer at Boston; Appointment of clerks in lieu of those now authorized, and their salaries. For salaries of the clerks and messengers in the office of assistant treasurer at Boston, twenty-five thousand two hundred dollars: *Provided*, That in lieu of the clerks heretofore authorized, the assistant treasurer of the United States at Boston is hereby authorized to appoint, with the approbation of the Secretary of the Treasury, one chief clerk, at a salary of three thousand dollars per annum; one clerk, at a salary of twenty-five hundred dollars per annum; one clerk, at a salary of two thousand dollars per annum; two clerks, at a salary of eighteen hundred dollars per annum, each; two clerks, at a salary of fifteen hundred dollars per annum, each; six clerks, at a salary of twelve hundred dollars per annum, each; one clerk, at a salary of one thousand dollars per annum; two clerks, at a salary of eight hundred dollars per annum, each; one porter, at a salary of seven hundred dollars per annum; and one watchman, at a salary of six hundred dollars per annum.
- For salaries of clerks, messengers, and watchmen, in office of the as-

sistant treasurer at Philadelphia, eighteen thousand three hundred dollars.

For salary of additional clerks in the office of the assistant treasury at Philadelphia, six thousand five hundred and eighty-five dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at New York, one hundred and twenty thousand three hundred and twenty dollars.

For salaries of clerks, messenger, and watchmen in the office of the assistant treasurer at Saint Louis, nine thousand seven hundred and sixty dollars.

For additional salaries to the messenger at four hundred dollars per annum, and to four watchmen at one hundred dollars per annum each, in the office of the assistant treasurer at Saint Louis, eight hundred dollars.

For salaries of clerks, porter, and watchmen in the office of the assistant treasurer at New Orleans, nine thousand six hundred dollars.

For compensation to stamp clerk in the office of the assistant treasurer at San Francisco, two thousand four hundred dollars.

For compensation of the depositary at Santa Fe, and the clerk, watchman, and porter in his office, four thousand eight hundred dollars.

For salary of the clerk to the acting assistant treasurer at Denver, one thousand eight hundred dollars.

For salaries of additional clerks, and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, for the better organization of the treasury, at such rates as the Secretary may deem just and reasonable, sixty thousand dollars.

For compensation to designated depositaries, under fourth section of the act of August sixth, eighteen hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, eight thousand dollars.

For compensation to special agents, under act of the sixth of August, eighteen hundred and forty-six, eight thousand dollars.

For salaries of ten supervising and fifty-six local inspectors, appointed under act of the thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred in carrying into effect the steamboat inspection law, including the expenses of their annual meeting, eighty-five thousand dollars.

For contingent expenses under the act of the sixth of August, eighteen hundred and forty-six, for the collection, safe-keeping, transfer, and disbursement of the public revenue, in addition to premium which may be received on transfer drafts: *Provided*, That no part of said sum shall be expended for clerical services, two hundred and fifty thousand dollars.

For checks and certificates of deposit for office of assistant treasurer at New York, and other offices, eighteen thousand dollars: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized, at his discretion, to remove the whole or any portion of the machinery, apparatus, and fixtures of the branch mints of the United States at New Orleans, Charlotte, and Dahlonega, to such other branch mints as in his opinion may require the same, or at his discretion to discontinue the branch mint at New Orleans, Charlotte, and Dahlonega, and to dispose of the property belonging thereto, if he shall deem it expedient, at public auction to the highest bidder.

Salaries of clerks, &c. at Philadelphia; additional clerks;

at New York;

at Saint Louis;

at New Orleans;

at San Francisco;

at Santa Fe;

at Denver.

Additional clerks, &c. 1846, ch. 90. Vol. ix. p. 59.

Designated depositaries.

Special agents.

Inspectors of steamboats. 1852, ch. 106. Vol. x. p. 61.

Contingent expenses.

Checks and certificates of deposit. Machinery, fixtures, &c. of branch mints at New Orleans, Charlotte, and Dahlonega may be removed or sold. These branch mints may be discontinued.

GOVERNMENTS IN THE TERRITORIES.

Territory of New Mexico. — For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

Government in the territories. Territory of New Mexico.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Utah;

Territory of Utah.— For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, eighteen thousand dollars.

Washington;

Territory of Washington.— For salaries of governor, chief justice, two associate judges, and secretary, twelve thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.

Nebraska;

Territory of Nebraska.— For salaries of governor, chief justice, and two associate judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars.

Colorado;

Territory of Colorado.— For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, ten thousand dollars.

Dakota;

Territory of Dakota.— For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars.

Arizona;

Territory of Arizona.— For salaries of governor, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Idaho;

Territory of Idaho.— For salaries of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Montana.

Territory of Montana.— For compensation of governor and superintendent of Indian affairs, chief justice, and two associate judges, and secretary, twelve thousand dollars.

For contingent expenses of the Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses, twenty thousand dollars.

JUDICIARY.

Judiciary.

Office of the Attorney-General.—For salaries of the attorney-general, assistant attorney-general, and the clerks and messenger in his office, twenty-three thousand seven hundred dollars.

Office of attorney-general.

For two additional temporary clerks of class one, twenty-four hundred dollars.

Contingent expenses of the office of the attorney-general, namely:

For fuel, labor, furniture, stationery, and miscellaneous items, four thousand dollars.

For purchase of law and necessary books for the office of the attorney-general, five hundred dollars.

For legal assistance and other necessary special and extraordinary expenditures in the disposal of private land claims in California, five thousand dollars.

Private land claims in California.

Justices of the Supreme Court of the United States.—For salaries of the chief justice and nine associate justices, sixty thousand five hundred dollars.

Justices of supreme court.

For travelling expenses of the judge assigned to the tenth circuit for attending session of the supreme court of the United States, one thousand dollars.

For salaries of the district judges of the United States, one hundred and twenty-six thousand dollars.

District judges.

For salaries of the chief justice of the supreme court of the District of Columbia, the associate judges, and judge of the orphans' court, nineteen thousand dollars.

Court in the District of Columbia.

For salary of the reporter of the decisions of the supreme court of the United States, which is hereby fixed at that amount, two thousand five hundred dollars: *Provided*, That said reporter shall within the time now prescribed deliver to the Secretary of the Interior for distribution, according to existing laws, three hundred copies of such of the annual reports of that court as shall be hereafter published.

Reporter of decisions.
Salary fixed.
Three hundred copies of reports to be delivered.

For additional compensation to three clerks in the department of the attorney-general, for extraordinary services under the amnesty proclamation of May twenty-ninth, eighteen hundred and sixty-five, to be apportioned, one thousand to the principal clerk, and five hundred each to the other two clerks, two thousand dollars.

Additional pay to certain clerks for services under amnesty proclamation.
Vol. xiii. p. 758.
District attorneys.

For compensation of the district attorneys, nineteen thousand two hundred and fifty dollars.

For compensation of the district marshals, twelve thousand dollars.

Marshals.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of treasury notes, two million dollars.

Expenses of loans and treasury notes.

For salaries and expenses of collectors, assessors, assistant assessors, revenue agents, inspectors, and superintendents of exports and drawback, together with the expense of carrying into effect the forty-fourth section of the internal revenue act of June thirtieth, eighteen hundred and sixty-four, and all other expenses of carrying into effect the various provisions of the several acts providing internal revenue, except salaries of commissioner, deputy commissioner, and clerks of internal revenue office, together with rent, dies, paper, and so forth, for stamps, and incidental expenses, ten million eight hundred thousand dollars.

Salaries of collectors, assessors, &c. of internal revenue.
1864, ch. 173, § 44.
Vol. xiii. p. 239

For compensation to the laborer in charge of the water-closets in the capitol, five hundred and thirty-eight dollars.

Laborers in capitol.

For compensation of four laborers in capitol, two thousand four hundred dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

Public gardener and laborers.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.

Gate keeper
and watchmen.

For compensation of the keeper of the western gate, Capitol Square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol Square, one thousand two hundred dollars.

For compensation of two night watchmen at the President's house, one thousand two hundred dollars.

Policemen,
&c. at Presi-
dent's house.

To enable the commissioner of public buildings to pay two policemen at the President's house, twenty-six hundred and forty dollars.

To enable the commissioner of public buildings to pay two policemen at the President's house, (one from August twenty-fourth, the other from November twenty-fifth, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six,) two thousand and twenty-three dollars and thirty-four cents.

For compensation of the door-keeper at the President's house, one thousand dollars.

Night watch-
man.

For compensation of one night watchman at the public stables and carpenter's shops south of the capitol, one thousand dollars.

For compensation of two watchmen in reservation number two, twelve hundred dollars.

Draw-keepers
at Potomac
bridge.

For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, seven thousand five hundred and fifty-three dollars and sixty cents.

For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand three hundred and ninety-six dollars.

Furnace-
keepers.

For compensation of furnace-keeper under the old hall of the House of Representatives, six hundred dollars.

For compensation of furnace-keeper at the President's house, six hundred dollars.

Metropolitan
police;
increase of
pay;

Metropolitan Police. — For salaries and other necessary expenses of the metropolitan police of the District of Columbia, one hundred and twenty thousand dollars. And the compensation of said metropolitan police force, officers, and clerks be and the same is hereby, increased fifty per centum upon the amount hereby appropriated, commencing on the first day of July, eighteen hundred and sixty-five, said increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of Washington, to the city of Georgetown, and the county of Washington and Georgetown, and the levy court of said county be, and they are hereby, authorized and empowered to levy a special tax not exceeding one quarter of one per centum for the purpose aforesaid.

how borne.

Special tax.

Police tele-
graph.

For the construction of a police telegraph in the city of Washington, fifteen thousand dollars.

Salary of
treasurer of the
United States
established.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the annually salary of the treasurer of the United States shall be six thousand five hundred dollars, the additional salary herein provided for, for the year ending June thirty, eighteen hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

Appropriation.

Salary of
commissioner of
public buildings
established.

SEC. 3. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the salary of the commissioner of public buildings shall be twenty-five hundred dollars per annum, and the increase of salary herein authorized may be paid out of any money in the treasury not otherwise appropriated.

Household of
the President.
Private secre-
tary.
Assistant
secretary.

SEC. 4. *And be it further enacted*, That the President is hereby authorized to appoint a private secretary, at an annual salary of three thousand five hundred dollars; an assistant secretary, at an annual salary of twenty-five hundred dollars; a short-hand writer, at annual salary of

twenty-five hundred dollars ; a clerk of pardons, at an annual salary of two thousand dollars ; and three clerks of the fourth class ; and a steward of the President's household, who shall receive an annual salary of two thousand dollars, and said steward shall have the custody of the plate, furniture, and other public property in the President's house, and shall give a bond to the United States in such sum as the Secretary of the Interior shall deem sufficient, and to be approved by him, for the faithful discharge of his trust ; and the amount necessary to pay the salaries of the officers and clerks herein provided for, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and also such sum as may be necessary to pay the salaries of said officers and clerks from the date of their appointment to the end of the fiscal year eighteen hundred and sixty-six, are hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 5. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-six, there shall be an officer in the Treasury Department, to be known as the assistant solicitor of the treasury, who shall be appointed by the Secretary of the Treasury, and who shall receive an annual salary of three thousand dollars. And the attorney-general of the United States is hereby authorized to employ in his office, in addition to the present force, a clerk to be known as the law clerk, at an annual salary of twenty-five hundred dollars. And the amount required to pay the salaries of the officer and clerk herein provided for, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, is hereby appropriated.

SEC. 6. *And be it further enacted*, That the female clerks and counters employed in the several departments and bureaus, whose appointments are made by the several heads of departments under the provisions of law, and whose legal compensation has heretofore amounted to seven hundred and twenty dollars each per annum, and the female clerks employed at the Post Office Department, shall, from and after the thirtieth day of June, eighteen hundred and sixty-six, receive in lieu of all other compensation an annual salary of nine hundred dollars each per annum ; and the amount necessary to pay the increased salaries herein provided for, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, is hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That the addition of twenty per centum to the compensation of the females not otherwise provided for, messengers, watchmen, and laborers employed in the several departments, and under the commissioner of public buildings and the commissioner of agriculture, and at the capitol, by section three of "An act making appropriations for the legislative, executive, and judicial expenses of the government, for the year ending June thirtieth, eighteen hundred and sixty-five, and for other purposes," is hereby continued in force, and the amount necessary to pay the same for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, is hereby appropriated.

SEC. 8. *And be it further enacted*, That the Secretary of the Navy is authorized to appoint in the several bureaus of his department, in addition to their chief clerks, and in lieu of the clerical force now authorized, clerks as follows, viz: In the bureau of yards and docks, one clerk of class four, who shall be the draughtsman, two clerks of class three, two clerks of class two, and one clerk of class one ; in the bureau of navigation, one clerk of class four, and one clerk of class two ; in the bureau of equipment and recruiting, one clerk of class four, two clerks of class three, two clerks of class two, and three clerks of class one ; in the bureau of ordnance, one clerk of class four, two clerks of class three, and two clerks of class two ; in the bureau of constructions and repairs, one clerk of class four two clerks of class three, two clerks of class two, and

Short-hand
writer.
Clerk of par-
dons.
Clerks.
Steward.
Duties and
bond of steward.

Appropriation.

Office of as-
sistant solicitor
of treasury
established.

Salary.

Law clerk
authorized in
office of attor-
ney-general.
Appropriation.

Pay of female
clerks and coun-
ters established.

Appropriation.

Addition of
twenty per cent
to pay of certain
clerks, messen-
gers, watchmen,
and laborers
continued.
1864, ch. 147, § 3.
Vol. xiii. p. 160.

Appropriation.

Additional
and other clerks
in Navy Depart-
ment.

In bureau of
yards and docks ;

of navigation ;

of equipment
and repair ;

of ordnance ;

of construc-
tion and repair

Clerks in bureau of steam navigation; of provisions and clothing; of medicine and surgery. Appropriation.

Increase of pay of certain inspectors of customs continued.

1864, ch. 71. Vol. xiii. p. 61.

Adjustment of accounts of Stewart Gwynn. 1865, ch. 73, § 1. Vol. xiii. p. 458.

Appropriation for purchase of Indian annuity goods in lieu of certain destroyed by fire. Vol. xi. pp. 659, 749.

Appropriation to pay certain informers their part of fines, penalties, and forfeitures.

one clerk of class one; in the bureau of steam navigation, one clerk of class three; In the bureau of provisions and clothing, one clerk of class four, three clerks of class three, six clerks of class two, and three clerks of class one; in the bureau of medicine and surgery, one clerk of class four, and one clerk of class three. And the amount necessary to pay the increase of salaries herein provided for, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, is hereby appropriated, out of any money in the treasury not otherwise appropriated.

SEC. 9. *And be it further enacted*, That the provisions of the act approved April twenty-nine, eighteen hundred and sixty-four, "increasing the compensation of inspectors of customs in certain ports," is hereby continued in force.

SEC. 10. *And be it further enacted*, That in adjusting the accounts of Stewart Gwynn, under and by authority of "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending thirtieth June, eighteen hundred and sixty-six," for printing presses, machinery, material, and labor furnished and supplied to the Treasury Department, and for expenditures under the authority of the Secretary, the proper accounting officers of the treasury are hereby authorized to make said adjustment without deducting for expenditures made by said department, or under authority thereof, upon said presses and machinery for the purpose of improving and repairing the same.

SEC. 11. *And be it further enacted*, That the sum of thirty-nine thousand two hundred and seventy-six dollars and fifty cents be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated to purchase Indian annuity goods for the Indians parties to the treaty of Fort Laramie and for the Blackfoot nation, to replace those destroyed by fire on the steamer Frank Bates, at Saint Louis, April seventh, eighteen hundred and sixty-six.

SEC. 12. *And be it further enacted*, That in cases in which moneys accruing to the United States from "fines, penalties, and forfeitures," or other sources, have been erroneously received and covered into the treasury before the payment of the proper informers' moieties or other charges legally and justly charg[e]able against the same, so much money as may be necessary to pay said claims, admitted and certified in due course of settlement, is hereby appropriated out of any money in the treasury not otherwise appropriated.

APPROVED, July 23, 1866.

July 23, 1866. 1862, ch. 130, § 5. Vol. xii. p. 504.

CHAP. CCIX. — *An Act to amend the fifth Section of an Act entitled "An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts," approved July 2, 1862, so as to extend the Time within which the Provisions of said Act shall be accepted and such Colleges established.*

Time for complying with provisions of act granting public lands to States, &c. for agricultural, &c. colleges, &c. extended.

Where territory becomes a State, the new State entitled to benefits of act, and how.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July two, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the commissioner of the general land office: *Provided*, That when any Territory shall become a State and be admitted into the Union, such new State shall be entitled to the benefits of the said act of July two, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after

such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

APPROVED, July 23, 1866.

CHAP. CCX. — *An Act to fix the Number of Judges of the Supreme Court of the United States, and to change certain Judicial Circuits.* July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no vacancy in the office of associate justice of the supreme court shall be filled by appointment until the number of associate justices shall be reduced to six; and thereafter the said supreme court shall consist of a chief justice of the United States and six associate justices, any four of whom shall be a quorum; and the said court shall hold one term annually at the seat of government, and such adjourned or special terms as it may find necessary for the despatch of business.

States already accepting to have five years more within which to provide one college.

No vacancy in the office of associate justice of supreme court to be filled until, &c.
Supreme court thereafter to consist of, &c.
Quorum; terms.

SEC. 2. *And be it further enacted*, That the first and second circuits shall remain as now constituted; that the districts of Pennsylvania, New-Jersey, and Delaware shall constitute the third circuit; that the districts of Maryland, West Virginia, Virginia, North Carolina, and South Carolina shall constitute the fourth circuit; that the districts of Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas shall constitute the fifth circuit; that the districts of Ohio, Michigan, Kentucky, and Tennessee shall constitute the sixth circuit; that the districts of Indiana, Illinois, and Wisconsin, shall constitute the seventh circuit; that the districts of Minnesota, Iowa, Missouri, Kansas, and Arkansas shall constitute the eighth circuit; and the districts of California, Oregon, and Nevada shall constitute the ninth circuit.

Circuits established.

APPROVED, July 23, 1866.

CHAP. CCXI. — *An Act to quiet the Title to certain Lands within the corporate Limits of the City of Benicia and the Town of Santa Cruz in the State of California.* July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right and title of the United States to the land situated within the corporate limits of the city of Benicia, in the county of Solano, State of California, as defined in the act incorporating said city, passed by the legislature of the State of California, April twenty-four, eighteen hundred and fifty-one, be, and the same are hereby, relinquished and granted to the said city and its successors, upon trust, however, that so much of said lands as is in the bona fide occupancy of parties upon the passage of this act, by themselves or tenants, shall be conveyed by said city to such parties: *Provided, however*, That the relinquishment and grant by this act shall not extend to any lands within said corporate limits occupied as a military depot of the United States, or heretofore reserved by the United States for public purposes; nor shall they interfere with or prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, or preclude a judicial examination and adjustment thereof.

Title of the United States to land in the city of Benicia granted to that city and its successors in trust.

Limit to grant.

SEC. 2. *And be it further enacted*, That all the right and title of the United States to the land within the corporate limits of the town of Santa Cruz in the State of California, as defined in the act of the legislature of that State incorporating said town, be, and the same are hereby, relinquished and granted to the corporate authorities of said town and their successors, in trust for and with authority to convey so much of said lands

Title of the United States to land in the town of Santa Cruz granted to that town in trust.

Limit to grant. as are in the bona fide occupancy of parties upon the passage of this act by themselves or tenants, to such parties: *Provided*, That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, nor preclude a judicial examination and adjustment thereof.

APPROVED, July 23, 1866.

July 23, 1866. CHAP. CCXII. — *An Act for a Grant of Lands to the State of Kansas to aid in the Construction of the Northern Kansas Railroad and Telegraph.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Kansas, for the use and benefit of the Saint Joseph and Denver City Railroad Company, the same being a corporation organized under the laws of the State of Kansas, to construct and operate a railroad from Elwood, in Kansas, westwardly, via Maryville, in the same State, so as to effect a junction with the Union Pacific Railroad, or any branch thereof not farther west than the one hundredth meridian of west longitude, every alternate section of land designated by odd numbers, for ten sections in width on each side of said road, to the point of intersection. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to tiers of sections above specified, so much land, in alternate sections or parts of sections designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the rights of pre-emption or homestead settlements have attached as aforesaid; which lands, thus indicated by odd numbers, and selected by direction of the Secretary of the Interior as aforesaid, shall be held by the State of Kansas for the use and purpose aforesaid: *Provided*, That the land to be so selected shall in no case be located farther than twenty miles from the line of said road: *Provided further*, That the lands hereby granted for and on account of said road shall be exclusively applied in the construction of the same and for no other purpose whatever, and shall be disposed of only as in this act hereinafter provided: *Provided, also*, That no part of the land granted by this act shall be applied to aid in the construction of any railroad or part thereof for the construction of which any previous grant of land or bonds has been made by Congress: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operations of this act, except so far as may be found necessary to locate the route of said road through said lands; in which case the right of way for one hundred feet on each side of said road only shall be granted, subject to the approval of the President of the United States.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which by such grant shall remain to the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the increased minimum price, as aforesaid: *Provided*, That actual and bona fide settlers, under the provisions of the pre-emption and homestead laws

Lands granted to Kansas for the benefit of the St. Joseph and Denver City Railroad Company.
Location of road and branches.

If any of granted lands have been sold or reserved, &c. other lands may be selected in lieu thereof.

Selected lands to be within twenty miles of road.

Lands granted to be applied exclusively in the construction of railroad; but not for any road for which previous grant has been made.

Lands heretofore reserved exempted from the operation of this act.

Right of way.

Remaining lands not to be sold for less than double the minimum price;

to be exposed to public sale.

settlers under homestead and

of the United States, may, after due proof of settlement, improvement, cultivation, and occupation, as now provided by law, purchase the same, at the increased minimum price aforesaid: *And provided also*, That settlers on any of said reserved sections, under the provisions of the homestead law, who improve, occupy, and cultivate the same for a period of five years, and comply with the several conditions and requirements of said act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

pre-emption laws.

Settlers under homestead laws when entitled to patents for eighty acres each.

SEC. 3. *And be it further enacted*, That the grant of the lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and shall at all times be in readiness to transport troops, munitions of war, supplies and public stores upon its roads for the government when required to do so by any department thereof, the government at all times having the preference in the use of the road for all the purposes aforesaid at fair and reasonable rates of compensation, not exceeding that paid by private individuals or the average paid for like services on other roads. And the lands hereby granted, held, and reserved as aforesaid shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good, substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for so many sections of the land hereinbefore granted as lie opposite to and coterminous with the said completed sections. And when certificates of the governor, aforesaid, shall be presented to said Secretary, of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the said sections of said land as aforesaid for each of said sections of road until said road shall be completed: *Provided*, That if said railroad company or its assigns shall fail to complete at least one section of said road each year from the date of its acceptance of the grant provided for in this act, then its right to the lands for said section so failing of completion shall revert to the government of the United States: *Provided further*, That if said road is not completed within ten years from the date of the acceptance of the grant hereinbefore made, the lands remaining unpatented shall revert to the United States.

Conditions of grant.

Lands how to inure to the benefit of the company.

If road does not complete one section of road each year, the right to the lands for said section is forfeited.

If road is not completed in ten years, lands unpatented to revert to the United States.

SEC. 4. *And be it further enacted*, That as soon as the said company shall file with the Secretary of the Interior maps of its lines, designating the route thereof, it shall be the duty of the said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

When maps of route of road are filed, lands to be withdrawn from market.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported on said road and its extension, under the direction of the Post Office Department, at such price as Congress may by law provide: *Provided*, That until such price is fixed by law the Postmaster-General shall have power to fix the compensation.

Mail to be carried over road, and at what price.

SEC. 6. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said Saint Joseph and Denver City Railroad Company, its successors and assigns, for the construction of a railroad as proposed; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations.

Right of way granted to the railroad company.

Materials for construction of road.

Extent of grant.

Grounds for shops, &c.

SEC. 7. *And be it further enacted*, That the acceptance of the terms,

Acceptance of conditions, and impositions of this act by the said Saint Joseph and Denver City Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within six months after the passage of this act and not afterwards, and shall be deposited with the Secretary of the Interior.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXIII. — *An Act to regulate the Registering of Vessels.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved on the tenth day of February, in the year one thousand eight hundred and sixty-six, entitled "An act to regulate the registering of vessels," shall not be deemed or construed to affect or limit the operation of the act approved on the twenty-third day of December, in the year one thousand eight hundred and fifty-two, entitled "An act authorizing the Secretary of the Treasury to issue registers to vessels in certain cases," but the same shall be in full force and effect, anything in the act first aforesaid to the contrary notwithstanding.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXIV. — *An Act to authorize the Construction of a Railroad through certain Land of the United States in Kansas.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Leavenworth City Railroad Company be, and are hereby, authorized to construct a horse railway, with one or two tracks, through the military reservation from Fort Leavenworth to the city of Leavenworth, Kansas, and take for the accommodation of the said road, or the business thereof, a strip of land over said reservation not exceeding twenty feet in width: *Provided,* That the location of said railroad through said reservation shall be on and along the west side of the wagon road leading from the said city to the said fort, and that the said company shall erect their own bridges and crossings, and not be permitted to use those of the wagon road: *And provided also,* That whenever said strip of land shall cease to be used for the purposes of said railroad company or the accommodation of the business thereof, the same shall revert to the United States; that this privilege shall be allowed as long as the Secretary of War shall, in his discretion, determine, and no longer.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXV. — *An Act to amend the Acts approved August six, eighteen hundred and sixty-one, and July sixteen, eighteen hundred and sixty-two, establishing a Metropolitan Police in the District of Columbia, to increase the Efficiency thereof, and for other Purposes.*

1861, ch. 62.
Vol. xii. p. 320.
1862, ch. 181.
Vol. xii. p. 578.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the chief executive officer of the police shall hereafter be styled major; the present sergeants shall be called lieutenants; the roundsmen called sergeants, and the patrolmen called privates; and that, in addition to the officers and employes the commissioners of the metropolitan police, in the District of Columbia, are now authorized by law to appoint, the said commissioners be authorized to appoint one captain, who shall be the inspector of the force, command it in sickness or absence of the major, and perform such other duties as the said commissioners may direct; one clerk in the office of the major, who shall have charge of the records of the sanitary company, and

Titles of officers
of metropolitan
police.

Additional
officers and men
authorized.

perform such other duties as the major, by direction or with the approval of the commissioners, may prescribe; twenty sergeants, and fifty patrolmen or privates.

SEC. 2. *And be it further enacted*, That the provisions of the sixth section of the act of July sixteen, eighteen hundred and sixty-two, authorizing the selection of justices of the peace by the board of police, to officiate at the respective station-houses, be construed to provide for the hearing of all cases of offence against statutory, corporation, or common law, of which the said board is charged by law with the execution; and all fines imposed by any justice within either of the jurisdictions of the metropolitan police district shall be, by the justices imposing the same, paid into the hands of the treasurer of the board of police, on the first Thursday after the same shall have been collected, who shall duly receipt therefor, in duplicate, to the credit of the city or county within which the offence was committed; and such justice shall, in each case, return the original receipt to the treasurer of the same jurisdiction; and the treasurer of the police board shall pay over such sums monthly to the proper officers of said cities or county, upon proper receipts, except as hereinafter provided.

Authority and jurisdiction of certain justices of the peace.
Vol. xii. p. 580.

Fines, to whom paid, and mode of payment.

SEC. 3. *And be it further enacted*, That from and after the expiration of licenses already granted it shall be unlawful for any person or persons keeping an ordinary, restaurant, saloon, or other place where spirituous liquors are sold within the District of Columbia, to give, sell, or dispose of any intoxicating drinks without a license approved by the board of police; and hereafter no such license shall be considered legal by any of the authorities having jurisdiction within said district, until the same shall have been approved by the board of police and so certified by the secretary thereof under the office seal.

Licenses for sale of intoxicating drinks.

SEC. 4. *And be it further enacted*, That the board of police shall provide specific rules for uniform clothing of the police force, which shall be procured by each of the members thereof respectively, strictly in conformity with such rules, at his own expense and risk, and he shall be removed from such force for not complying with such rules.

Uniform of the police.

SEC. 5. *And be it further enacted*, That from and after the passage of this act the property clerk of the metropolitan police district shall be vested with all the powers now conferred by law upon notaries public in the District of Columbia. He may administer oaths and certify depositions which may be necessary to establish the ownership of any property or money lost, abandoned, or returned to him under the directions of the board of police, other than such as may be so returned as the proceeds of crime; and upon satisfactory evidence of such ownership he shall deliver the same to said owner, his heirs and legal representatives, and to him or them only, except it be proven impracticable for such owner, heirs, or representatives to appear, when the same may be delivered and receipted for upon such proof of ownership and the filing in the office of said property clerk, of a duly executed power of attorney from said owner or his heirs or legal representatives. And any property or money returned to the property clerk as the proceeds of crime, and which shall not be called for as evidence by any proceeding in the courts of the District within one year from the date of such return, may, unless specially claimed by the owner within that time, be thereafter treated as other unclaimed, abandoned, or lost property or money, as provided in the act of July sixteenth, eighteen hundred and sixty-two.

Property clerk of police to have powers of notary public.

Powers and duties.

Property or money, the proceeds of crime, not called for as evidence within one year, to be treated as abandoned.

SEC. 6. *And be it further enacted*, That where animals or articles of property, other than money, are returned to the property clerk as the proceeds of crime, when shown by sufficient evidence to be necessary for the current use of the owners and not for sale, (except perishable property that may be delivered to the owner on ample security being taken by the committing magistrate for his appearance at the criminal court to

Animals, or property other than money, when and how may be placed in custody of the owners.

Perishable property.

prosecute the case,) the board of police shall have power, in its discretion, to authorize the property clerk to place the same in the custody of such owners, upon sufficient bonds being given by said owner or owners in the sum of twice the value thereof, conditioned for the production of the same at any time within one year, when required for use in court as evidence in any proceeding thereon, in accordance with the provisions required by the act of July sixteenth, eighteen hundred and sixty-two. And in cases of large quantities of goods held for sale by the owners, that may come into the possession of the property clerk as the proceeds of crime, the same may be delivered to the said owner, his heirs or representatives, as provided in section five of this act, upon ample security to prosecute, except those of an estimated value of fifty dollars, which shall be retained by the property clerk until the discharge or conviction of the accused, as required by said act.

Large quantities of goods held for sale.

No person to assume or practise the occupation of detective in the District of Columbia without specific appointment therefor, unless, &c.
Bond.

Sureties on bond, when to be prosecuted.

Detectives arresting persons for crime to carry them at once to office of superintendent of police, &c.

Case to be examined.

Laws relating to police to apply to detectives.

When a private detective's bond is executed, he shall report to secretary of police.

Bond to be filed and record made.

Felonies, &c. not to be compounded.

Persons suspected of crime not to be aided to escape by withholding information, &c.

Money, &c. not to be received from those charged with crime.

Penalty for violation hereof.

SEC. 7. *And be it further enacted*, That hereafter no person shall assume or practise the occupation of detective within the limits of the District of Columbia who shall not first receive a specific appointment for that purpose, unless pursuing the detection of criminals as a private business outside of such authority, and not otherwise specifically authorized by law. Any person so practising shall enter into bonds to the board of police with surety in the sum of not less than ten thousand dollars, to be approved by the board of police, for a faithful and correct return to said board, in such manner and at such times as the board of police shall direct, of all business transacted by such private detectives; and in each and every case of a forfeiture of such bond or bonds for failure to make such returns to said board as required, or for failure of persons accused by such bonded private detectives to appear to answer charges in court, it shall be the duty of the attorney of the United States for the said District to immediately prosecute the sureties thereon to the full extent of a recovery of the forfeitures. And it shall be the duty of any person prosecuting the business of a private detective, who may arrest a person for crime, to bring the person arrested with all evidence of the alleged crime, including property or money which may become evidence, immediately to the office of the superintendent of police, or the nearest metropolitan police station, where the case shall undergo an examination before the magistrate assigned thereto; and all laws or parts of laws that govern the metropolitan police in the matters of persons, property, or money shall hereafter be applicable to said detectives, (or to persons practising as detectives, whatever other name they may assume,) who shall make like returns and dispositions thereof, as required by law and the rules of the board of police governing the metropolitan police force.

SEC. 8. *And be it further enacted*, That upon the execution of a private detective's bond, it shall be the duty of such private detectives to report to the secretary of the Board of Police, who shall file such bond and record the name, age, description, nationality, and residence of said private detective; and it shall be unlawful for such detectives, or any member of the metropolitan police force, or for any and all other persons, to compromise a felony or any other unlawful act, or to participate in, assent to, aid, or assist any person suspected of crime to escape a full judicial examination by failing to give known facts or reasonable causes of suspicion, or withholding any information relative to the charge or suspicion from the police magistrate or justice, or in any manner to receive any money, property, favor, or other compensation, from, or on account of, any person arrested or subject to arrest for any crime or supposed crime, or to permit any such person to go at large without due effort to secure an investigation of such supposed crime; and for any violation of the foregoing provisions of this section, or either of them, the said police, or private detective, or other person guilty thereof, shall be deemed as having compromised a felony, and be thereafter prohibited from acting as

an officer of the metropolitan police force or as a private detective, and shall be prosecuted to the extent of the law for aiding criminals to escape the ends of justice.

APPROVED, July 23, 1866.

CHAP. CCXVI. — *An Act to give certain Powers to the Levy Court of the County of Washington in the District of Columbia.* July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the existing remedy by distress, for the recovery of taxes due to the levy court in the county of Washington, real property in said county, outside the corporate limits of Georgetown and Washington, on which one year's taxes shall be due and unpaid, or so much thereof, not less than one acre, (where the property on which the tax has accrued is not less than that quantity,) as may be necessary to pay any such taxes, with all legal costs and charges arising thereon, may be sold at public sale, to satisfy such taxes and expenses, by the collector appointed by the levy court of said county: *Provided,* That public notice be given of the time and place of sale by advertising once a week for eight successive weeks in some newspaper published in the city of Washington, in which advertisement shall be given a sufficient and definite description of the property selected for sale, the name of the person to whom the same is assessed, and the aggregate amount of taxes due thereon. The purchaser or purchasers of any such property shall pay, at the time of such sale, the amount of taxes due on the property so purchased by him, her, or them, respectively, with the amount of the expenses of sale, and shall pay the residue of the purchase-money within ten days after the expiration of two years from the day of sale, to the collector or other officer of the levy court authorized to receive the same, and the amount of such residue shall be placed in the treasury of said levy court, subject to the order of the original proprietor or proprietors of the property sold, his, her, or their legal representatives; and the purchaser or purchasers of said property shall receive a title thereto in fee simple, by deed, under the hand of the president of said levy court and its seal, which shall be deemed good and valid in law and equity: *Provided, nevertheless,* That if within two years from the day of any such sale, or before such purchaser or purchasers shall have paid the residue, if any, of the purchase-money as aforesaid, the proprietor or proprietors of any property sold as aforesaid, his, her, or their agents, or legal representatives, shall repay to such purchaser or purchasers the money paid for taxes and expenses as aforesaid, together with ten per centum per annum as interest thereon, or make a tender thereof, or deposit the same with the treasurer of said levy court or other officer authorized to receive the same, for the use of such purchaser or purchasers, and subject to his or their order, he, she, or they shall be reinstated in his, her, or their original right and title, as if no such sale had been made; and if any purchaser shall fail to pay the residue of the purchase-money as aforesaid within the time required as aforesaid, for any property so purchased by him, he shall pay ten per centum per annum, as interest thereon, in addition to such residue, from the expiration of the two years as aforesaid, until the actual payment of such residue and the receiving of a conveyance as aforesaid, and said interest shall alike be subject to the order of the original proprietor or proprietors as the residue of the purchase-money aforesaid: *Provided also,* That no sale shall be made of any improved property in pursuance of this section, whereon there is personal property of sufficient value to pay said taxes, nor of such improved property whereon there is not such personal property, until the collector shall first file a sworn return with the clerk of said levy court that there is no such personal property, which return shall be prima facie proof of that fact; and that minors, mortgagees, and others having equitable liens or

Certain real property in the county of Washington may be sold for taxes.

Notice of time and place of sale; to state what.

Purchase-money how paid.

When and how purchaser to receive title.

Owners may redeem within two years. Mode of redemption.

If purchaser fails to pay residue of purchase-money.

No sale to be made of improved property, if there is thereon sufficient personal property.

Minors, mortgagees, and those having equitable interests to have what time within which to redeem.

Sale may be adjourned.

Collector of levy court may collect any tax by distress and sale.

Sale not to be made, unless, &c.

Levy court may demand of Washington or Georgetown the proportion of expenses, although, &c.

1812, ch. 117.
Vol. ii. p. 771.

other interests, as creditors, in real property sold for taxes as aforesaid shall be allowed one year after such minors' coming to full age, or after such mortgagees, or others having equitable interests, obtaining possession of, or a decree for the sale of, such property, to redeem the same from the purchaser or purchasers, his, her, or their heirs or assigns, on paying the amount of the purchase-money so paid therefor, with ten per centum interest thereon per annum, and the value of any improvements erected on said property by the purchaser or his assigns while in his possession.

SEC. 2. *And be it further enacted*, That it shall be lawful for the collector to postpone, after such advertisement, the sale of the property advertised according to the foregoing section, to any future day, for want of bidders or other reasonable cause, giving public notice of such postponement; and the sale made at such postponed time shall be equally valid as if made on the day stated in the advertisement.

SEC. 3. *And be it further enacted*, That the collector of said levy court shall have authority to collect any tax lawfully imposed by said court, by distress and sale of the goods and chattels of the person chargeable therewith, wherever the same may be found in said county, out of the corporate limits of Washington and Georgetown; but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the city of Washington.

SEC. 4. *And be it further enacted*, That it shall not be necessary that the said levy court shall have actually paid the portion of the general expenses of the county of Washington, or any other expenses a portion of which either of the cities of Washington or Georgetown is liable for, to enable the said court to demand of either of said cities payment of its proportion of said expenses already incurred, or for the supreme court of the District of Columbia to act summarily in the matter and give judgment, according to the provisions of the act of July one, eighteen hundred and twelve, entitled "An act conferring certain powers on the levy court for the county of Washington, in the District of Columbia."

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXVII. — *An Act relating to Public Schools in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eighteenth section of the act entitled "An act to provide for the public instruction of youth in the county of Washington, District of Columbia, and for other purposes," approved June twenty-five, eighteen hundred and sixty-four, shall be so construed as to require the cities of Washington and Georgetown to pay over to the trustees of colored schools of said cities such a proportionate part of all moneys received or expended for school or educational purposes in said cities, including the cost of sites, buildings, improvements, furniture, and books, and all other expenditures on account of schools, as the colored children between the ages of six and seventeen years, in the respective cities, bear to the whole number of children, white and colored, between the same ages. That the money shall be considered due and payable to said trustees on the first day of October of each year, and if not then paid over to them, interest at the rate of ten per centum per annum on the amount unpaid may be demanded and collected from the authorities of the delinquent city by said trustees.

SEC. 2. *And be it further enacted*, That the said trustees may maintain an action of debt in the supreme court of the District of Columbia against said cities of Washington and Georgetown for the non-payment of any sum of money arising under the aforesaid act of June twenty-five, eighteen hundred and sixty-four.

APPROVED, July 23, 1866.

Cities of Washington and Georgetown to pay to trustees of colored schools the proportionate part of certain school moneys.

1864, ch. 156,
§ 18.
Vol. xiii. p. 191.

Money when to be payable.

Interest.

An action of debt may be maintained for those moneys.

CHAP. CCXVIII. — *An Act to incorporate the Metropolitan Mining and Manufacturing Company.* July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Ford, George D. Williams, Thomas W. Hyde, Oliver Edwards, Charles H. Herd, Samuel A. Fulton, Charles Otis, Charles A. Eccleston, George W. Holmes, Joseph E. Hollis, John F. Broadhead, and Lewis P. Moody, or any five of them, be, and are hereby, authorized and empowered to receive subscriptions to the capital stock of a corporation to be denominated the Metropolitan Mining and Manufacturing Company of the District of Columbia, who shall open a book for that purpose in the city of Washington, at the time and place to be by them designated, of which they shall give five days' notice in two or more of the daily papers of said city, and shall keep the same open until twenty thousand shares of one hundred dollars a share each shall have been subscribed; and any person of lawful age, and a citizen of the United States, shall be permitted to subscribe upon paying five dollars on each share at the time of subscribing. And it shall be lawful for the said corporation to have a common seal, sue and be sued, plead and be impleaded, and have and exercise all the rights, privileges, and immunities for the purpose of the corporation hereby created.

Metropolitan Mining and Manufacturing Company incorporated.

Subscriptions to stock.

Who may subscribe.

Powers of corporation.

SEC. 2. *And be it further enacted,* That the affairs of the company shall be managed by nine directors, to be elected annually by ballot on the second Monday of July, by the stockholders or by their legally empowered agents; and each share of stock shall entitle the holder thereof to one vote; the election to be held at the office of the company at a general meeting of the stockholders convened for that purpose, by ten days' public notice in two or more of the daily papers of the city of Washington: *Provided,* That the first election for directors shall be held pursuant to five days' notice given in one or more of the daily papers of the city of Washington, by the persons named in the first section of this act, or any five of them, who shall designate the time when and the place where said election shall be held; and the stockholders shall then and there elect nine directors to serve until the next ensuing election and until their successors shall be duly elected and qualified as provided for in this act. And at the first ensuing meeting of the directors after every election they shall appoint one of their number as president, who shall hold office until the election and qualification of his successor. And five members of said board shall compose a quorum. And in case that an election for directors should not be made when pursuant to this act it should have been made, the company for that cause shall not be dissolved; and it shall be lawful within forty days thereafter to hold and make an election for directors in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election take place. And in the event of the death, resignation, or removal of any director from office, his place for the remainder of his term may be filled by the president and directors for the time being, in such manner as the by-laws may prescribe.

Directors, number, how and when chosen.

Votes.

General meetings of stockholders, how notified.

First election.

President.

Quorum. If election is not made at proper time, company not to be dissolved, &c.

Vacancies in office of director, how filled.

SEC. 3. *And be it further enacted,* That the president and directors shall have power to appoint a secretary and such other officers, agents, and clerks as may to them appear proper, to fix their compensation, and pay the same.

Appointment and pay of secretary and other officers, agents, and clerks.

SEC. 4. *And be it further enacted,* That the capital stock shall be called in and paid in such instalments and proportions, and at such times and places, as the president and directors, for the time being, may require and designate. And if any stockholder, subscriber, their assignee or transferee, shall refuse or neglect to pay such proportion or instalment at the time and place appointed, such stockholder, subscriber, transferee, or assignee shall, at the option of the president and directors, forfeit to the

Capital stock, how called in.

If stockholders, &c. do not pay instalments, &c.

Fresh sub-
scriptions may
be opened.

No stockholder
in arrears to vote.

Authority of
president and
directors.
By-laws.

Business of
mining may be
carried on.

Real estate.

Bonds.

Proviso.

Lands may be
sold or leased.

Stock how
transferred.

This act may
be altered, &c.

use of the company all his, her, or their right, title, and interest in and to every share on which such instalments have not been duly paid; and fresh subscriptions may be opened for the said shares in such manner as the by-laws may prescribe, or the president and directors may, at their option, commence suit for any instalment that may be due and unpaid, and recover against the holder of said stock for the amount of the same: *Provided*, That no stockholder or subscriber shall be permitted to vote at any election for directors or at any general or special meeting of the company, on whose shares any instalments or arrearages may be due more than fifteen days previous thereto.

SEC. 5. *And be it further enacted*, That the president and directors for the time being shall have power to ordain, establish, and put in execution such rules, regulations, ordinances, and by-laws as they may deem essential for the well-government of the institution, not contrary to the laws and Constitution of the United States or of any State, or of this act, and generally to do and perform all acts, matters, and things which a corporation may or can lawfully do.

SEC. 6. *And be it further enacted*, That the president and directors are hereby empowered and fully authorized, on behalf of said company, to carry on the business of mining for iron ore and other native minerals, and manufacturing and preparing the same for market; and to purchase and hold by deed for a term or in fee simple such real estate and other property within the District of Columbia and State of Virginia as may be necessary and proper for the purposes aforesaid; and to issue bonds not exceeding one half of the capital stock, upon such terms as may be deemed for the best interests of the company: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, or bearing interest at a rate exceeding six per centum per annum.

SEC. 7. *And be it further enacted*, That the president and directors are hereby empowered and fully authorized, on behalf of said company, to lease, demise, bargain, sell, and convey any lands and real estate which may be owned or held by said company, and to execute and deliver to purchasers good and sufficient deeds therefor.

SEC. 8. *And be it further enacted*, That the stock of said company shall be transferred on the books of the company in such manner only as the by-laws of the company shall direct.

SEC. 9. *And be it further enacted*, That nothing in this act shall be so construed as making it perpetual, but Congress may at any time alter, amend, or repeal the same.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXIX. — *An Act to quiet Land Titles in California.*

Certain lands
selected by Cali-
fornia confirmed
to that State.

Certain selec-
tions not con-
firmed.

State not to
receive more
land for school,
&c. purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where the State of California has heretofore made selections of any portion of the public domain in part satisfaction of any grant made to said State by any act of Congress, and has disposed of the same to purchasers in good faith under her laws, the lands so selected shall be, and hereby are, confirmed to said State: *Provided*, That no selection made by said State contrary to existing laws shall be confirmed by this act for lands to which any adverse pre-emption, homestead, or other right has, at the date of the passage of this act, been acquired by any settler under the laws of the United States, or to any lands which have been reserved for naval, military, or Indian purposes by the United States, or to any mineral land, or to any land held or claimed under any valid Mexican or Spanish grant, or to any land which, at the time of the passage of this act, was included within the limits of any city, town, or village, or within the county of San Francisco: *And provided further*, That the State of California shall not re-

ceive under this act a greater quantity of land for school or improvement purposes than she is entitled to by law.

than she is entitled to.

SEC. 2. *And be it further enacted,* That where the selections named in section one of this act have been made upon land which has been surveyed by authority of the United States, it shall be the duty of the proper authorities of the State, where the same has not already been done, to notify the register of the United States land office for the district in which the land is located of such selection, which notice shall be regarded as the date of the State selection, and the commissioner of the general land office shall, immediately after the passage of this act, instruct the several local registers to forward to the general land office, after investigation and decision, all such selections, which, if found to be in accordance with section one of this act, the commissioner shall certify over to the State in the usual manner.

Where selections are upon lands surveyed by authority of the United States register to be notified

Notice to be the date of State selection.

Commissioner of general land office to do what.

SEC. 3. *And be it further enacted,* That where the selections named in section one of this act have been made from lands which have not been surveyed by authority of the United States, but which selections have been surveyed by authority of and under the laws of said State, and the land sold to purchasers in good faith under the laws of the State, such selections shall, from the date of the passage of this act, when marked off and designated in the field, have the same force and effect as the pre-emption rights of a settler upon unsurveyed public land; and if, upon survey of such lands by the United States, the lines of the two surveys shall be found not to agree, the selection shall be so changed as to include those legal subdivisions which nearest conform to the identical land included in the State survey and selection. Upon the filing with the register of the proper United States land office of the township plat in which any such selection of unsurveyed land is located, the holder of the State title shall be allowed the same time to present and prove up his purchase and claim under this act as is allowed pre-emptors under existing laws; and if found in accordance with section one of this act, the land embraced therein shall be certified over to the State by the commissioner of the general land office.

Where selections are upon lands surveyed only by State authority, and lands are sold, selections to have same effect as certain pre-emption rights.

If on survey by the United States the lines of the two surveys do not agree, selection to be changed.

Upon filing township plat, holder of State title allowed what time to present, &c. his claim.

SEC. 4. *And be it further enacted,* That in all cases where township surveys have been, or shall hereafter be, made under authority of the United States, and the plats thereof approved, it shall be the duty of the commissioner of the general land office to certify over to the State of California, as swamp and overflowed, all the lands represented as such, upon such approved plats, within one year from the passage of this act, or within one year from the return and approval of such township plats. The commissioner shall direct the United States surveyor-general for the State of California to examine the segregation maps and surveys of the swamp and overflowed lands made by said State; and where he shall find them to conform to the system of surveys adopted by the United States, he shall construct and approve township plats accordingly, and forward to the general land office for approval: *Provided,* That in segregating large bodies of land, notoriously and obviously swamp and overflowed, it shall not be necessary to subdivide the same, but to run the exterior lines of such body of land. In case such State surveys are found not to be in accordance with the system of United States surveys, and in such other townships as no survey has been made by the United States, the commissioner shall direct the surveyor-general to make segregation surveys, upon application to said surveyor-general by the governor of said State, within one year of such application, of all the swamp and overflowed land in such townships, and to report the same to the general land office, representing and describing what land was swamp and overflowed under the grant, according to the best evidence he can obtain. If the authorities of said State shall claim as swamp and overflowed any land not represented as such upon the map or in the returns of the survey-

Where township surveys have been made and plats approved, swamp and overflowed lands to be certified to State within one year.

Segregation maps, &c. of swamp and overflowed lands made by State, to be examined, &c.

If found to conform to United States surveys.

If found not to conform.

If State claims as swamp, &c. lands any not so represented in

map, character of land how to be determined.

Lists of lands selected and of swamp, &c. lands claimed by State, to be sent to general land office.

State may select for school purposes lands in lieu of certain sixteen and thirty-sixth sections. 1853, ch. 145. Vol. x. p. 244.

Surveyor-general to furnish State authorities with lists.

Purchasers of lands of Mexican grantees, the grants being subsequently rejected, &c. may buy same at minimum price, &c.

Limit of such right to purchase.

Lines of public surveys when not to run through permanent improvements.

Where claims to land by title from Spanish, &c. authorities, have been confirmed, and a survey and plat not requested within ten months, &c. lines of surveys to be extended

ors, the character of such land at the date of the grant, September twenty-eight, eighteen hundred and fifty, and the right to the same, shall be determined by testimony, to be taken before the surveyor-general, who shall decide the same, subject to the approval of the commissioner of the general land office.

SEC. 5. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office to instruct the officers of the local land offices and the surveyor-general, immediately after the passage of this act, to forward lists of all selections made by the State referred to in section one of this act, and lists and maps of all swamp and overflowed lands claimed by said State, or surveyed as provided in this act, for final disposition and determination, which final disposition shall be made by the commissioner of the general land office without delay.

SEC. 6. *And be it further enacted*, That an act entitled "An act to provide for the survey of the public lands in California, the granting of pre-emption rights therein, and for other purposes," approved March third, one thousand eight hundred and fifty-three, shall be construed as giving the State of California the right to select for school purposes other lands in lieu of such sixteenth and thirty-sixth sections as were settled upon prior to survey, reserved for public uses, covered by grants made under Spanish or Mexican authority, or by other private claims, or where such sections would be so covered if the lines of the public surveys were extended over such lands, which shall be determined whenever township lines shall have been extended over such land, and in case of Spanish or Mexican grants, when the final survey of such grants shall have been made. The surveyor-general for the State of California shall furnish the State authorities with lists of all such sections so covered, as a basis of selection, such selections to be made from surveyed lands, and within the same land district as the section for which the selection is made.

SEC. 7. *And be it further enacted*, That where persons in good faith, and for a valuable consideration, have purchased lands of Mexican grantees or assigns, which grants have subsequently been rejected, or where the lands so purchased have been excluded from the final survey of any Mexican grant, and have used, improved, and continued in the actual possession of the same as according to the lines of their original purchase, and where no valid adverse right or title (except of the United States) exists, such purchasers may purchase the same, after having such lands surveyed under existing laws, at the minimum price established by law, upon first making proof of the facts as required in this section, under regulations to be provided by the commissioner of the general land office, joint entries being admissible by coterminous proprietors to such an extent as will enable them to adjust their respective boundaries: *Provided*, That the provisions of this section shall not be applicable to the city and county of San Francisco: *Provided*, That the right to purchase herein given shall not extend to lands containing mines of gold, silver, copper, or cinnabar: *Provided*, That whenever it shall be made to appear by petition from the occupants of such land that injury to permanent improvements would result from running the lines of the public surveys through such permanent improvements, the commissioner of the general land office may recognize existing lines of subdivisions.

SEC. 8. *And be it further enacted*, That in all cases where a claim to land by virtue of a right or title derived from the Spanish or Mexican authorities has been finally confirmed, and a survey and plat thereof shall not have been requested within ten months from the passage of this act, as provided by sections six and seven of the act of July first, eighteen hundred and sixty-four, "To expedite the settlement of titles to lands in the State of California," and in all cases where a like claim shall hereafter be finally confirmed, and a survey and plat thereof shall not be requested, as provided by said sections within ten months after the passage of this

act, or any final confirmation hereafter made, it shall be the duty of the surveyor-general of the United States for California, as soon as practicable after the expiration of ten months from the passage of this act, or such final confirmation hereafter made, to cause the lines of the public surveys to be extended over such land, and he shall set off, in full satisfaction of such grant, and according to the lines of the public surveys, the quantity of land confirmed in such final decree, and as nearly as can be done in accordance with such decree; and all the land not included in such grant as so set off shall be subject to the general land laws of the United States: *Provided*, That nothing in this act shall be construed so as in any manner to interfere with the right of bona fide pre-emption claimants.

over said land, and quantity set off.

1864, ch. 194, §§ 6, 7. Vol. xiii. p. 334.

Land not set off, subject to general land laws of the United States.

Rights of bona fide pre-emption claimants not interfered with.

SEC. 9. *And be it further enacted*, That from the decrees of the district courts of the United States for the district of California, approving or correcting the surveys of private land claims under Spanish or Mexican grants, rendered after the first day of July, one thousand eight hundred and sixty-five, an appeal shall be allowed for the period of one year after the entry of such decrees to the circuit court of the United States for California, as provided by section three of the act of July first, one thousand eight hundred and sixty-four, to expedite the settlement of titles to land in the State of California, and the decision of the circuit court shall be final: *Provided, however*, That from decrees of the district courts, as aforesaid, made after July one, eighteen hundred and sixty-five, and prior to the passage of this act, an appeal may be taken to the United States circuit court for the State of California within one year from the approval of this act.

Appeals from decrees of district courts respecting surveys of certain private land claims after July 1, 1865, to circuit court.

Decision of circuit court to be final.

Appeal from certain decrees of district courts.

APPROVED, July 23, 1866.

CHAP. CCXXX. — *An Act to aid in the Construction of Telegraph Lines, and to secure to the Government the Use of the same for postal, military, and other Purposes.*

July 24, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any telegraph company now organized, or which may hereafter be organized under the laws of any State in this Union, shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States, over and along any of the military or post roads of the United States which have been or may hereafter be declared such by act of Congress, and over, under, or across the navigable streams or waters of the United States: *Provided*, That such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters, or interfere with the ordinary travel on such military or post roads. And any of said companies shall have the right to take and use from such public lands the necessary stone, timber, and other materials for its posts, piers, stations, and other needful uses in the construction, maintenance, and operation of said lines of telegraph, and may pre-empt and use such portion of the unoccupied public lands subject to pre-emption through which its said lines of telegraph may be located as may be necessary for its stations, not exceeding forty acres for each station; but such stations shall not be within fifteen miles of each other.

Telegraph companies may maintain and operate lines of telegraph over public domain, along post, &c. roads, and across navigable waters of the United States.

Lines to be so constructed as not to obstruct, &c.

Materials for construction, &c. may be taken from public lands.

Lands may be pre-empted for stations, not exceeding, &c. and not within, &c.

SEC. 2. *And be it further enacted*, That telegraphic communications between the several departments of the government of the United States and their officers and agents shall, in their transmission over the lines of any of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster-General.

Telegrams for the government to have priority of transmission.

Rates to be annually fixed.

SEC. 3. *And be it further enacted*, That the rights and privileges hereby granted shall not be transferred by any company acting under this act to any other corporation, association, or person: *Provided, however*, That

Rights and privileges not to be transferred.

The United States may purchase for postal, &c. purposes, telegraph lines.

Value, how ascertained.

Telegraph companies to file written acceptance of this act, before exercising any powers granted hereby.

the United States may at any time after the expiration of five years from the date of the passage of this act, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all of said companies at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected.

SEC. 4. *And be it further enacted*, That before any telegraph company shall exercise any of the powers or privileges conferred by this act, such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by this act.

APPROVED, July 24, 1866.

July 25, 1866.

CHAP. CCXXXI. — *An Act to define the Number and regulate the Appointment of Officers in the Navy, and for other Purposes.*

Number allowed in each grade of line officers on the active list of the navy.

Increase in grades, how made.

Who may be promoted to grade of rear-admiral on retired list.

Appointments of certain line officers on active list from volunteer naval service.

If by these appointments number in any grade exceeds that allowed by law.

Authority exhausted when the number of volunteer officers is once appointed.

Board for examination of candidates from the naval volunteer service.

Report and selections.

What volunteer naval offi-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number allowed in each grade of line officers on the active list of the navy shall be one admiral, one vice admiral, ten rear admirals, twenty-five commodores, fifty captains, ninety commanders, one hundred and eighty lieutenant commanders, one hundred and eighty lieutenants, one hundred and sixty masters, one hundred and sixty ensigns, and in other grades the number now allowed by law: *Provided*, That the increase in the grades authorized by this act shall be made by selection from the grade next below of officers who have rendered the most efficient and faithful service during the recent war, and who possess the highest professional qualifications and attainments. And nothing in this act shall preclude the advancement in rank now authorized by law for distinguished conduct in battle, or for extraordinary heroism: *And provided further*, That nothing in this act, nor in the fourteenth section of the act approved July sixteenth, eighteen hundred and sixty-two, entitled "An act to establish and equalize the grade of the line officers of the navy," shall be so construed as to prevent the Secretary of the Navy from promoting to the grade of rear admiral on the retired list those commodores who have commanded squadrons by order of the Secretary of the Navy, or who have performed other highly meritorious service.

SEC. 2. *And be it further enacted*, That of the number of line officers of the navy on the active list, five lieutenant commanders, twenty lieutenants, fifty masters, and seventy-five ensigns may be appointed from those officers who have served in the volunteer naval service for a period of not less than two years, and who are either now in that service or have been honorably discharged therefrom: *Provided*, That if by reason of these appointments the number of officers in any grade shall exceed the number fixed by law, no more promotions or appointments to that grade shall be made until the number is reduced below the number fixed by law for that grade: *And provided further*, That the authority given by this section shall be exhausted when the number of volunteer officers above named shall have been once appointed.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy shall appoint a board consisting of not less than three naval officers superior in rank to the officers to be thus appointed in the regular navy from the volunteer service, which board, after examination of the claims of all candidates, shall select and report to the Secretary of the Navy the most meritorious in character, ability, professional competency, and honorable service, the number to be appointed and transferred to the several grades mentioned in the second section of this act, provided they shall find that number who are suitably qualified therefor. And any officer who has served in the volunteer naval service for the term of two years or

more shall have the right to appear before the examining board and present his claims and be examined for an appointment in the regular navy. And any volunteer officers attached to vessels at sea or on foreign stations may be appointed to the regular navy, subject to the conditions contained in this section, after their return to the United States.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be, and he hereby is, authorized to retain, or to appoint under existing laws and regulations, such volunteer officers in the navy as the exigencies of the service may require.

SEC. 5. *And be it further enacted*, That lieutenant commanders may be assigned to duty as navigation and watch officers on board of vessels of war as well as first lieutenants of naval stations and of ships of war.

SEC. 6. *And be it further enacted*, That the annual compensation of the admiral of the navy shall be ten thousand dollars a year, and he shall be entitled to the services of a secretary, who shall receive the annual sea pay of a lieutenant in the navy.

SEC. 7. *And be it further enacted*, That naval constructors and first and second assistant engineers in the navy shall be appointed by the President and confirmed by the Senate, and shall have naval rank and pay as officers of the navy.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED, July 25, 1866.

Volunteer officers at sea or on foreign stations. Secretaries may appear before board.

Volunteer officers at sea or on foreign stations.

Secretary of Navy may retain or appoint volunteer officers in the navy.

Lieutenant commanders; may be assigned to what duty.

Pay of the admiral of the navy.

His secretary.

Naval constructors and first and second assistant engineers.

Repeal of inconsistent laws.

CHAP. CCXXXII. — *An Act to revive the Grade of General in the United States Army.*

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of "general of the army of the United States" be, and the same is hereby, revived; and that the President is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a general of the army of the United States, to be selected from among those officers in the military service of the United States most distinguished for courage, skill, and ability, who, being commissioned as general, may be authorized, under the direction and during the pleasure of the President, to command the armies of the United States.

SEC. 2. *And be it further enacted*, That the pay proper of the general shall be four hundred dollars per month; and his allowance for fuel and quarters, when his headquarters are in Washington, shall be at the rate of three hundred dollars per month, and his other allowances in all respects the same as are allowed to the lieutenant general by the second section of the act approved February twenty-nine, eighteen hundred and sixty-four, entitled "An act reviving the grade of lieutenant general in the United States army"; and the chief of staff to the lieutenant general shall be transferred and be the chief of staff to the general, with the rank, pay, and emoluments of a brigadier-general in the army of the United States; and the act approved March third, eighteen hundred and sixty-five, entitled "An act to provide for a chief of staff to the lieutenant general commanding the armies of the United States," is hereby repealed, and the said general may select from the regular army for service upon his staff such number of aides, not exceeding six, as he may judge proper, who during the term of such staff service shall each have the rank, pay, and emoluments of a colonel of cavalry. And it is hereby provided, that in lieu of the staff now allowed by law to the lieutenant general, he shall be entitled to two aides and one military secretary, each to have the rank, pay, and emoluments of a lieutenant colonel of cavalry, during the term of such staff service.

APPROVED, July 25, 1866.

Grade of general of the army of the United States revived.

Appointment, &c.

Pay and allowances of the general.

1864, ch. 14, § 2. Vol. xiii. p. 12.

Chief of staff.

Repeal of 1865, ch. 85.

Vol. xiii. p. 500. Aides, their number, rank, and pay.

Staff of lieutenant general.

July 25, 1866.

CHAP. CCXXXIII. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-seven, and for other Purposes.*

Consular and diplomatic expenses appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-seven, namely :

Envoys extraordinary, ministers, and commissioners.

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, republic of Mexico, China, Italy, Chili, Peru, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, Japan, and Salvador, three hundred and eight thousand five hundred dollars.

Secretaries and assistant secretaries of legation.

For salaries of secretaries of legation, thirty thousand dollars.
For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

Interpreters.

For salary of the interpreter to the legation to China, five thousand dollars.

For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.

For salary of the interpreter to the legation to Japan, two thousand five hundred dollars.

Contingent expenses.

For contingent expenses of all the missions abroad, fifty thousand dollars.

For contingent expenses of foreign intercourse, sixty-five thousand dollars.

Barbary powers.

For expenses of intercourse with the Barbary powers, three thousand dollars.

Consulates in the Turkish dominions.

For expenses of the consulates in the Turkish dominions, namely : interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

American seamen.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

Rescuing seamen.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, ten thousand dollars.

Blank books, stationery, &c.

For the purchase of blank books, stationery, book cases, arms of the United States, seals, presses, and flags, and for the payment of postages, and miscellaneous expenses of the consuls of the United States, including loss by exchange, fifty thousand dollars.

Office rent.

For office rent for those consuls general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-five thousand dollars.

Consuls general, consuls, &c.

For salaries of consuls general, consuls, commercial agents, and thirteen consular clerks, including loss by exchange thereon, namely :

Consulates general.

I. CONSULATES GENERAL.

SCHEDULE B.

Alexandria, Calcutta, Constantinople, Frankfort-on-the-Main, Havana, Montreal, Shanghai.

Consulates.

II. CONSULATES.

Schedule B.

SCHEDULE B.

Acapulco, Aix-la-Chapelle, Algiers, Amoy, Amsterdam, Antwerp, Aspinwall, Bankok, Basle, Belfast, Beirut, Buenos Ayres, Bordeaux, Bre-

men, Brindisi, Boulogne, Barcelona, Cadiz, Callao, Candia, Canton, Chin Kiang, Clifton, Coaticook, Cork, Demarara, Dundee, Elsinore, Erie, Foo-Choo, Funchal, Geneva, Genoa, Gibraltar, Glasgow, Goderich, Guaymas, Halifax, Hamburg, Havre, Honolulu, Hong-Kong, Hankow, Jerusalem, Kanagawa, Kingston, Kingston in Canada, La Rochelle, Laguayra, Lahaina, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, London, Lyons, Malaga, Malta, Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Moscow, Munich, Nagasaki, Naples, Nassau (West Indies), Newcastle, Nice, Nantes, Odessa, Oporto, Palermo, Panama, Paris, Pernambuco, Pietou, Ponce, Port Mahon, Prescott, Prince Edward Island, Revel, Rio de Janeiro, Rotterdam, San Juan del Sur, San Juan (Porto Rico), Saint John (Canada East), Santiago de Cuba, Port Sarnia, Singapore, Smyrna, Spezzia, Southampton, Saint John (Newfoundland), Saint Petersburg, Saint Pierre (Martinique), Saint Thomas, Stuttgart, Swartow, Saint Helena, Tampico, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, Tunis, Turk's Island, Valparaiso, Vera Cruz, Vienna, Windsor, Zurich.

III. COMMERCIAL AGENCIES.

Commercial agencies.

SCHEDULE B.

Schedule B.

Balize (Honduras), Madagascar, San Juan del Norte, Saint Domingo.

IV. CONSULATES.

Consulates.

SCHEDULE C.

Schedule C.

Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Cape Town, Carthagenia, Ceylon, Cobija, Cyprus, Falkland Islands, Fayal, Guayaquil, Lanthala, Maranham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, Paso del Norte, Piræus, Rio Grande, Sabanilla, Saint Catherine, Santa Cruz (West Indies), Santiago (Cape Verde), Stettin, Tabasco, Tahita, Talcahuano, Tumbes, Venice, Zanzibar.

V. COMMERCIAL AGENCIES.

Commercial agencies.

SCHEDULE C.

Schedule C.

Amoor River, Apia, Gaboon, Saint Paul de Loando [Loanda], four hundred and twenty-five thousand dollars: *Provided*, That the compensation of the consuls at Malta, Saint John (Canada East), Nice, Lisbon, Santa Cruz, Tampico, Prince Edward Island, Barcelona, Saint Catherine's, in Brazil, and Nantes, is established at fifteen hundred dollars each annually, and the compensation of the consul at Hankow is established at three thousand dollars annually; and no money shall be paid to the present minister resident at Portugal out of any funds whatever on account of further services in his office.

Pay of certain consuls established.

No money to be paid to the present minister resident at Portugal, &c.

For interpreters to the consulates in China, and to the consular court at Bankok, in Siam, including loss by exchange thereon, eight thousand three hundred dollars.

Interpreters to consulates and consular courts.

For expenses incurred under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, twenty thousand dollars.

Persons charged with crime.

For salaries of the marshals for the consular courts in Japan, including that at Nagasaki, and in China, Siam, and Turkey, including loss by exchange thereon, ten thousand dollars.

Marshals in consular courts.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

Prisons.

For salaries of commissioners and consuls general to Hayti, Liberia, and Dominica, nineteen thousand dollars; and the title of these diplo-

Hayti, Liberia, and Dominica. Title.

Suppression of
slave-trade.

1862, ch. 140.
Vol. xii. p. 531.

Immigration.
1864, ch. 246.

Vol. xiii. p. 385.

Commissioners
on claims of
Hudson's Bay,
&c. Agricultural
Company.

Vol. xiii. p. 651.

Neutrality act.

Boundary line
commissions.

Capitalization
of Scheldt dues.

Vol. xiii. p. 649.

Cemetery
fences and sex-
ton's house in
Mexico.

Appointment
of second assist-
ant secretary of
state, and exam-
iner of claims.

Salaries.

Appropriation.

Fees collected
by certain con-
suls and com-
mercial agents
to be accounted
for to Secretary
of Treasury.

1856, ch. 127,
§ 18.

Vol. xi. p. 58.

Excess over
\$2500 a year
above, &c. to be
paid to Secre-
tary of Treasury.

Salaries of en-
voys extraor-
dinary and min-
ister plenipoten-
tiary.

matic representatives shall be hereafter minister resident and consul general, with no increase of salary.

For expenses under the act of Congress to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, seventeen thousand dollars.

For expenses under the act to encourage immigration, twenty thousand dollars.

For further compensation of the commissioner under the treaty between the United States and her Britannic Majesty for the final settlement of the claims of the Hudson's Bay and Puget Sound Agricultural Company, three thousand dollars in full for his services and personal expenses.

For expenses under the neutrality act, twenty thousand dollars.

For expenses of the commission to run and mark the boundary line between the United States and the British possessions bounding on Washington Territory, thirteen thousand one hundred and ten dollars.

For the payment of the second annual instalment of the proportion contributed by the United States towards the capitalization of the Scheldt dues, to fulfil the stipulations contained in the fourth article of the convention between the United States and Belgium of the twentieth of May, eighteen hundred and sixty-three, the sum of fifty-five thousand five hundred and eighty-four dollars in coin, and such further sum as may be necessary to carry out the stipulation of the convention providing for payment of interest on the said sum and on the portion of the principal remaining unpaid.

For repairs of cemetery fences and sexton's house, belonging to the United States, in the city of Mexico, fifteen hundred dollars, to be expended under the direction of the President of the United States.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a second assistant secretary of state in the Department of State, and also an examiner of claims for the same department, whose salary shall be three thousand dollars per annum; and the salary of the second assistant secretary of state shall be thirty-five hundred dollars per annum; and such sums are hereby appropriated.

SEC. 3. *And be it further enacted*, That all fees collected by any consul or commercial agent not mentioned in Schedule B. or C, or by any vice-consul or commercial agent appointed to perform their duties, or by any other person in their behalf, shall be accounted for to the Secretary of the Treasury in the same mode and manner as is provided for in section eighteen of the act approved August eighteen, eighteen hundred and fifty-six, entitled "An act to regulate the diplomatic and consular system of the United States." And when the fees so collected by any such consul or commercial agent amount to more than twenty-five hundred dollars in any one year, over and above the expenses of office-rent and clerk-hire, to be approved by the Secretary of State, of which return shall be made to the Secretary of the Treasury, the excess for that year shall be paid to the Secretary of the Treasury, in the mode provided for by said act.

SEC. 4. *And be it further enacted*, That the salary of any envoy extraordinary and minister plenipotentiary hereafter appointed shall be the salary of a minister resident and nothing more, except when he is appointed to one of the countries where the United States are now represented by an envoy extraordinary and minister plenipotentiary.

APPROVED, July 25, 1866.

CHAP. CCXXXIV. — *An Act further to provide for the Safety of the Lives of Passengers on Board of Vessels propelled in Whole or in Part by Steam, to regulate the Salaries of Steamboat Inspectors, and for other Purposes.*

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any engineer or pilot, licensed in pursuance of law by any inspector or board of inspectors, shall, to the hindrance of commerce, wrongfully or unreasonably refuse to serve as such on any steam vessel, as authorized by the terms of his license, or shall fail to deliver to the applicant for such services, at the time of such refusal, if the same shall be demanded, a statement in writing, signed by such engineer or pilot, of the reasons therefor, or if any pilot shall refuse to admit into the pilot-house with him any person or persons whom the captain or owners of any steamboat may desire to place there for the purpose of acquiring the knowledge of piloting, he shall forfeit and pay to the party aggrieved thereby the sum of three hundred dollars, to be recovered in an action of debt founded on this statute. And thereupon on such recovery, as well as on such refusal to give such statement in writing, or to admit such persons into the pilot-house as aforesaid, his license shall be immediately revoked, upon the same proceedings as are provided by law in other cases of the revocation of such licenses.

Licensed engineers or pilots wrongfully refusing to serve as such, &c. or pilots refusing to admit certain persons into pilot house, to forfeit \$ 300.

How to be recovered.

License to be revoked.

SEC. 2. *And be it further enacted,* That when boilers are so arranged on a steamer that there is employed a water connecting-pipe through which the water may pass from one boiler to another, there shall also be provided a similar steam connection, having an area of opening into each boiler of at least one square inch for every two square feet of effective heating surface contained in any one of the boilers so connected, half the flue and all other surfaces being computed as effective. And no boiler shall hereafter be allowed, under any circumstances, a greater working pressure than one hundred and fifty pounds to the square inch.

Where there is a water connecting-pipe between boilers, similar steam connection to be also provided.

Maximum working pressure of boiler.

SEC. 3. *And be it further enacted,* That one or more additional safety-valves, of such dimensions and arrangement as shall be prescribed by the board of supervising inspectors, shall be placed on the boilers of every steamer, and shall be loaded to a pressure not exceeding two pounds above the working steam pressure allowed, and shall be secured by the inspector against the interference of all persons engaged in the management of the vessel or her machinery. And the alloyed metals now required by law, to be placed in or upon the flues of boilers shall be fusible, as now required by law, and at a temperature not exceeding four hundred and forty-five degrees of the Fahrenheit thermometer; and a good and reliable water-gauge and a full set of gauge-cocks shall be provided for each boiler, whether connected or otherwise.

Safety valves on boilers of steamers;

how loaded and secured.

Alloyed metals on flues of boilers to be fusible, and at what temperature.

Water-gauge and gauge-cocks.

SEC. 4. *And be it further enacted,* That no steamboat boiler hereafter built, to which the heat is applied on the outside of the shell, shall be constructed of plates of more than three-tenths of an inch in thickness, the ends or heads of the boiler only excepted. And every steamboat boiler hereafter built, if employed on rivers flowing into the Gulf of Mexico, or their tributaries, shall have not less than three inches of clear space for water between and around its internal flues. And steamers hereafter built, which shall employ four or more boilers set in a battery, shall have the same divided in such a manner that one half, as nearly as may be, of the number of boilers employed will act independently of the other half, so far as relates to the water connection; but the steam from all the boilers may be connected as provided by this act.

Construction of steam boilers hereafter built;

employed on certain rivers.

Steamers hereafter built, how to have boilers divided.

SEC. 5. *And be it further enacted,* That cotton, hemp, hay, straw, or other easily ignitable commodity, shall not be carried on the decks or guards of any steamer carrying passengers, except on ferry-boats crossing rivers, and then only on the sterns of such boats, unless the same shall be protected by a complete and suitable covering of canvas or other proper material, to prevent ignition from sparks, under a penalty of one hundred

Cotton, hemp, hay, straw, &c. not to be carried on deck or guards of passenger steamers, except, &c. Penalty.

Coal oil or crude petroleum not to be so carried, unless, &c.

Barges carrying passengers in tow of a steamer.

Steamers used as freight boats to be subject to inspection, &c.
1864, ch. 113.
Vol. xiii. p. 120.

Penalty for certain persons attempting to act as steamboat inspectors.

All vessels, except, &c. to be subject to the navigation laws of the United States.

Steam vessels, &c. to be subject to act of 1852, ch. 106, § 29.

Vol. x. p. 72.
Seagoing steam vessels, when under way, except on high seas, to be under control of licensed pilots, except, &c.

Passenger vessels to have the life-boats required by law provided with suitable boat disengaging apparatus.

Foremast-head light only on ocean-going steamers and those carrying sail.

1864, ch. 69.
Vol. xiii. p. 58.
Lights of river steamers navigating waters flowing into Gulf of Mexico; of coasting steamers, &c. other than ferry-boats, &c.

dollars for each offence. Nor shall coal oil or crude petroleum be hereafter carried on such steamers, except on the decks or guards thereof, or in open holds where a free circulation of air is secured, and at such distance from the furnaces or fires as may be prescribed by any *supervisors* [supervising] inspector or any board of local inspectors.

SEC. 6. *And be it further enacted*, That barges carrying passengers while in tow of a steamer shall be subject to the provisions of the acts for the preservation of the lives of passengers, so far as relates to fire-buckets, axes, and life-preservers. For a violation of this section the penalty shall be one hundred dollars.

SEC. 7. *And be it further enacted*, That steamers used as freight boats shall be subject to the same inspection and requirements as provided for ferry, tug, and canal boats, by an act relating to steamboats, approved the eighth day of June, eighteen hundred and sixty-four, and to the provisions of this act.

SEC. 8. *And be it further enacted*, That if any person connected, as a member or otherwise, with any association of steamboat pilots, engineers, masters, or owners, shall accept or attempt to exercise the functions of the office of steamboat inspector, it shall be a misdemeanor, for which he shall forfeit his office, and shall be further subject to a penalty of five hundred dollars.

SEC. 9. *And be it further enacted*, That all vessels navigating the bays, inlets, rivers, harbors, and other waters of the United States, except vessels subject to the jurisdiction of a foreign power and engaged in foreign trade and not owned in whole or in part by a citizen of the United States, shall be subject to the navigation laws of the United States; and all vessels propelled in whole or in part by steam, and navigating as aforesaid, shall also be subject to all rules and regulations consistent therewith, established for the government of steam vessels in passing, as provided in the twenty-ninth section of an act relating to steam vessels, approved the thirtieth day of August, eighteen hundred and fifty-two. And every seagoing steam vessel now subject or hereby made subject to the navigation laws of the United States, and to the rules and regulations aforesaid, shall, when under way, except upon the high seas, be under the control and direction of pilots licensed by the inspectors of steam vessels; vessels of other countries and public vessels of the United States only excepted.

SEC. 10. *And be it further enacted*, That all sea-going vessels carrying passengers, and those navigating any of the northern and northwestern lakes, shall have the life-boats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched with their complements of passengers while such vessels are under speed or otherwise, and so as to allow such disengaging apparatus to be operated by one person disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water.

SEC. 11. *And be it further enacted*, That the provision for a foremast-head light for steamships, in an act entitled "An act fixing certain rules and regulations for preventing collisions on the water," approved the twenty-ninth day of April, eighteen hundred and sixty-four, shall not be construed to apply to other than ocean-going steamers and steamers carrying sail. River steamers navigating waters flowing into the Gulf of Mexico shall carry the following lights, viz: one red light on the outboard side of the port smoke-pipe, and one green light on the outboard side of the starboard smoke-pipe; these lights to show both forward and aft, and also abeam on their respective sides. All coasting steamers, and those navigating bays, lakes, or other inland waters, other than ferry-boats, and those above provided for, shall carry the red and green lights, as prescribed for ocean-going steamers; and, in addition thereto, a central range of two white lights; the after light being carried at an elevation of at least fifteen feet above the light at the head of the vessel; the head

light to be so constructed as to show a good light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel; and the after light to show all around the horizon.

SEC. 12. *And be it further enacted*, That the annual compensation paid to local inspectors of steamboats shall be hereafter as follows, to wit:

For the district of Portland, in Maine, three hundred dollars; for the district of Boston and Charlestown, in Massachusetts, one thousand dollars; for the district of New London, in Connecticut, five hundred dollars; for the district of New York, two at two thousand dollars each, two at fifteen hundred dollars each, and one additional inspector of boilers at fifteen hundred dollars; for the district of Philadelphia, in Pennsylvania, thirteen hundred dollars; for the district of Baltimore, in Maryland, twelve hundred dollars; for the district of Norfolk, in Virginia, three hundred dollars; for the district of Charleston, in South Carolina, five hundred dollars; for the district of Savannah, in Georgia, four hundred dollars; for the district of Mobile, in Alabama, one thousand dollars; for the district of New Orleans, or in which New Orleans is the port of entry, Louisiana, two thousand dollars; for the district of Galveston, in Texas, four hundred dollars; for the district of St. Louis, in Missouri, sixteen hundred dollars; for the district of Nashville, in Tennessee, four hundred dollars; for the district of Louisville, in Kentucky, twelve hundred dollars; for the district of Cincinnati, in Ohio, sixteen hundred dollars; for the district of Wheeling, West Virginia, five hundred dollars; for the district of Pittsburg, Pennsylvania, sixteen hundred dollars; for the district of Chicago, Illinois, eight hundred dollars; for the district of Detroit, Michigan, one thousand dollars; for the district of Cleveland, Ohio, six hundred dollars; for the district of Buffalo, New York, twelve hundred dollars; for the district of Oswego, or of which Oswego is the port of entry, New York, three hundred dollars; for the district of Vermont, of which Burlington is the port of entry, three hundred dollars; for the district of San Francisco, California, fifteen hundred dollars; for the district of Memphis, Tennessee, nine hundred dollars; for the district of Galena, Illinois, one thousand dollars; for the district of Portland, Oregon, seven hundred dollars; to the supervising inspector of the Pacific coast, two thousand five hundred dollars; to other supervising inspectors, two thousand dollars each.

SEC. 13. *And be it further enacted*, That there shall be appointed, under the direction of the Secretary of the Treasury, one clerk each in the local offices at New York and New Orleans, and the annual compensation allowed to these clerks shall be seven hundred and fifty dollars each.

SEC. 14. *And be it further enacted*, That the Secretary of the Treasury may procure, for the supervising and local inspectors of steamboats, such stationery, printing, instruments, and other things necessary for the use of their respective offices, as may be required therefor; and shall make such rules and regulations as may be necessary to secure the proper execution of the steamboat acts; and may from time to time cause special examinations to be made into the administration of the inspection laws.

SEC. 15. *And be it further enacted*, That supervising, and local, and assistant inspectors of steamboats shall execute proper bonds, in such form and upon such conditions as the Secretary of the Treasury may prescribe, and subject to his approval, conditioned for the faithful performance of the duties of their respective offices, and the payment, in the manner provided by law, of all moneys that may be received by them.

SEC. 16. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, July 25, 1866.

Annual pay of local inspectors of steamboats.

District of Portland;
Boston and Charlestown;
New London;
New York;
Philadelphia;
Baltimore.
Norfolk;
Charleston;
Savannah;
Mobile;
New Orleans;
Galveston;
St. Louis;
Nashville;
Louisville;
Cincinnati;
Wheeling;
Pittsburg;
Chicago;
Detroit;
Cleveland;
Buffalo;
Oswego;
Vermont;
San Francisco;
Memphis;
Galena;
Portland.

Supervising inspectors.

Clerk in local offices at New York and New Orleans.

Pay.

Stationery, printing, instruments, &c. for supervising and local inspectors.

Rules and regulations.

Special examinations, &c.

Bonds of supervising, local, and assistant inspectors of steamboats.

Form and conditions.

Repeal of inconsistent laws.

July 25, 1866. CHAP. CCXXXV. — *An Act increasing the Pensions of Widows and Orphans, and for other Purposes.*

Provisions of pension laws extended to provost marshals and their deputies and to enrolling officers.

How to take rank.

Pensions to widows of soldiers and sailors increased \$2 a month for each child under sixteen years.

If there is more than one child, and no widow, &c.

No person to have more than one pension.

Provisions of former acts extended to pensioners under previous laws, except, &c.

1862, ch. 166.

Vol. xii. p. 566.

1864, ch. 247.

Vol. xiii. p. 387.

1865, ch. 84.

Vol. xiii. p. 499.

If during pendency of an application for invalid pension and after completion of proof, applicant dies, who may receive accrued pension, &c.

Accrued pension to be paid to executor, &c.

Repealing clause of act 1866, ch. 106, *Ante*, p. 56, not to work forfeiture of accrued rights, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the pension laws are hereby extended to and made to include provost marshals, deputy provost marshals, and enrolling officers, who have been killed or wounded in the discharge of their duties; and for the purpose of determining the amount of pension to which such persons and their dependents shall be entitled, provost marshals shall be ranked as captains, deputy provost marshals as first lieutenants, and enrolling officers as second lieutenants.

SEC. 2. *And be it further enacted,* That the pensions to widows of deceased soldiers and sailors, having children by such deceased soldiers or sailors, be increased at the rate of two dollars per month for each child of such soldier or sailor under the age of sixteen years. And in all cases in which there shall be more than one child of any deceased soldier or sailor leaving no widow, or where his widow has died or married again, or where she has been deprived of her pension under the provisions of section eleven of an act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, the pension granted to such children under sixteen years of age by existing laws shall be increased to the same amount per month that would be allowed under the foregoing provisions to the widow if living and entitled to a pension: *Provided,* That in no case shall more than one pension be allowed to the same person.

SEC. 3. *And be it further enacted,* That the provisions of an act entitled "An act to grant pensions," approved July fourteen, eighteen hundred and sixty-two, and of the acts supplementary thereto and amendatory thereof, are hereby, so far as applicable, extended to the pensions under previous laws, except revolutionary pensioners.

SEC. 4. *And be it further enacted,* That if any person during the pendency of his application for an invalid pension, and after the completion of the proof showing his right thereto, has died, or shall hereafter die, but not in either case by reason of a wound received, or disease contracted in the service of the United States and in the line of duty, his widow, or if he left no widow, or in the event of her death or marriage, his relatives in the same order in which th[e]y would have received a pension, if they had been thereunto entitled under existing laws on account of the services and death in the line of duty of such person, shall have the right to demand and receive the accrued pension to which he would have been entitled had the certificate issued before his death; and in all cases where such person so entitled to an invalid pension has died, or shall hereafter die, under circumstances hereinbefore mentioned, whether by reason of a wound received or disease contracted in the service of the United States, and in the line of duty or otherwise, without leaving a widow or such relatives, then such accrued pension shall be paid to the executor or administrator of such person in like manner and effect as if such pension were so much assets belonging to the estate of the deceased at the time of his death.

SEC. 5. *And be it further enacted,* That the repeal by the act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, of parts of certain acts mentioned in the first section of said act, shall not work a forfeiture of any rights accrued under or granted by such parts of such acts so repealed; but such rights shall be recognized and allowed in the same manner and to all intents and purposes as if said act had never passed, except that the invalid pensioner shall be entitled to draw from and after the taking effect of said act the increased pension thereby granted in lieu of that granted by such parts of such acts so repealed.

SEC. 6. *And be it further enacted*, That nothing in the fourth section of an act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, or in any other supplementary or amendatory act relating to pensions, shall be so construed so as to impair the right of a widow whose claim for a pension was pending at the date of her re-marriage, to the pension to which she would otherwise be entitled, had her deceased husband left no minor child or children under the age of sixteen years.

APPROVED, July 25, 1866.

Widows having claim for pension pending at date of re-marriage not affected by provisions of act 1865, ch. 84, § 4.

Vol. xiii. p. 490.

CHAP. CCXXXVI. — *An Act authorizing the Construction of a Jail in and for the District of Columbia.* July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to select a suitable place on some of the public grounds belonging to the government in the city of Washington, in the District of Columbia, for and construct thereon, upon such plan as he may select, a jail of sufficient capacity to provide for not less than three hundred prisoners, with suitable yards, hospitals, and so forth, the entire cost of which shall not exceed the sum of two hundred thousand dollars.

Secretary of the Interior to select suitable place and construct a jail thereon.
Capacity.

Cost.

SEC. 2. *And be it further enacted*, That as soon as said site, and the plan of a jail shall be so selected and agreed upon, the said Secretary of the Interior shall employ an architect and have prepared a design for said building, and plans descriptive thereof, with complete specifications of the work required and the materials to be used, and shall publish notice of a public letting of the contract for the building of the same, at least thirty days before the letting, in the principal newspapers in New York city, Boston, Philadelphia, Cincinnati, Baltimore, and Washington, which notice shall direct a place where such specifications can be seen, and a time at which the contract is to be let; and the said Secretary shall let said contract to the lowest responsible bidder, and the contractor therefor shall enter into sufficient bond for the faithful completion of the said contract to the approval of the Secretary.

Architect to be employed;

to prepare designs and specifications, and publish notice of letting contract for building.

Contract to be let to lowest responsible bidder.

Contractor to give bond.

SEC. 3. *And be it further enacted*, That the said Secretary shall pay to the contractor or contractors instalments on the contract price as the work progresses, to be certified to by the architect having the direction thereof, but twenty per centum of the estimates shall be retained until the completion of the contract.

Contractor to be paid by instalments, twenty per cent being retained.

SEC. 4. *And be it further enacted*, That there be, and is hereby, *appointed*, [appropriated,] for the purposes aforesaid, out of any money in the treasury not otherwise appropriated, the sum of two hundred thousand dollars, to be drawn on the order of said Secretary of the Interior.

Appropriation.

SEC. 5. *And be it further enacted*, That the Secretary of the Interior be, and is hereby, authorized to sell at public sale, on proper notice thereof, the materials of the old jail, now located in Judiciary Square, and the proceeds thereof to be paid into the treasury of the United States.

Materials of old jail to be sold at auction.

SEC. 6. *And be it further enacted*, That for the purpose of reimbursing the United States for a part of the cost of said jail, it shall be the duty of the proper authorities of the city of Washington, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time of the completion of said jail, the sum of seventy thousand dollars. And it shall be the like duty of the proper authorities of the city of Georgetown, and they are hereby required, to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the completion of said jail, the sum of twenty thousand dollars. And it shall be the like duty of the proper authorities of the county of Washington or said District, and they are hereby required,

City of Washington to pay \$70,000 in part for jail.

Georgetown to pay \$20,000.

County of Washington to pay \$10,000.

A tax to be assessed and levied sufficient to raise said amounts.

Proceedings if either city or the county is in default of payment of tax;

if tax is not assessed.

to raise, by tax or otherwise, and pay into the treasury of the United States at or before the period aforesaid, the sum of ten thousand dollars, which said several sums shall be deemed the fair proportion of the cost of said jail of each of said cities and said county of Washington; and the said cities and county authorities, respectively, are hereby authorized and required to assess and levy upon the taxable property of said cities and said county of Washington a tax sufficient to raise the amount so by each city and said county required to be paid as aforesaid.

SEC. 7. *And be it further enacted*, That upon the default of payment of the sums aforesaid into the treasury of the United States at the time before stated, made by either of said cities or by said county of Washington, the said Secretary of the Interior shall appoint a collector for any such delinquent city or county as shall have failed to make its payments as aforesaid, and it shall be the duty of said collector to proceed with the collection of the taxes as assessed, in such manner and form as shall be prescribed by the Secretary of the Interior; or if either of said cities or said county of Washington shall neglect, fail, or refuse to assess such tax, the Secretary of the Interior is hereby authorized and empowered to make such levy and proceed to its collection as aforesaid.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXXXVII. — *An Act to annul the thirty-fourth Section of the Declaration of Rights of the State of Maryland, so far as it applies to the District of Columbia.*

The 34th section of the Declaration of Rights of State of Maryland, prohibiting certain sales, gifts, and devices, annulled.

Such gifts and devices to be made at least one month before death of donor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirty-fourth section of the Declaration [of] Rights of the State of Maryland, adopted seventeen hundred and seventy-six, so far as the same has been recognized and adopted in the District of Columbia, be, and the same is hereby, repealed and annulled, and that all sales, gifts, and devises prohibited by the said section, or by any law passed in accordance therewith, shall be, when hereafter made, valid and effectual: *Provided*, That, in case of gifts and devises, the same shall be made at least one calendar month before the death of the donor or testator.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXXXVIII. — *An Act to establish in the District of Columbia a House of Correction for Boys.*

House of correction for boys established in Washington.

Building already erected to be transferred to trustees under this act.

Government of the institution to be vested in seven trustees.

Trustees, how appointed;

to be paid ex-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the District of Columbia, on the tract of land known as the government farm, a fit and convenient house of correction, suitably and efficiently ventilated, with convenient yards, workshops, and other suitable accommodations adjoining or appurtenant thereto, for the safe keeping, correction, governing, and employing of offenders legally committed thereto by authority of the courts and magistrates of the District of Columbia: *Provided*, That the building already erected on that land for the purpose of establishing a similar institution, together with all the other property there collected for the same purpose, shall be transferred to the trustees appointed according to the provisions of this act, at a cost not exceeding one thousand five hundred dollars.

SEC. 2. *And be it further enacted*, That the government of said institution shall be vested in a board of seven trustees, to be appointed and commissioned by the President of the United States, one of whom shall be nominated for appointment by the mayor of Washington, one by the mayor of Georgetown, one by the levy court of the county of Washington, and four by the Secretary of the Interior; and no trustee shall receive compensation for his services, but each trustee shall be allowed the

amount of expenses necessarily incurred in the discharge of the duties of his office. The term of office of the said trustees shall be three years; but on the first appointment of the board of trustees two of the members shall be appointed for one year, two for two years, and three for three years, to be determined by the President.

penses, but no compensation.
Term of office.

SEC. [3.] *And be it further enacted*, That the said board of trustees shall be a corporation, by the name of the Trustees of the house of correction for the District of Columbia, for the purpose of taking and holding, in trust, whatever property may be conveyed, devised, donated, or bequeathed for the benefit of said institution, with all the power necessary to carry this purpose into effect.

Board of trustees to be a corporation.
Name and powers.

SEC. 4. *And be it further enacted*, That it shall be the duty of the said board of trustees to take charge of the general interests of the institution; they may appoint a superintendent, a steward, a teacher or teachers, and such other officers as may be found necessary, and may be approved by the Secretary of the Interior; they may fix the salaries of said officers, subject to the approval of the Secretary of the Interior: they may prepare such by-laws as may be necessary to regulate and direct the management of the institution, which, however, shall not be valid until approved by the Secretary of the Interior; and to exercise a vigilant supervision over the institution, its officers, and its inmates.

Duties of trustees.
They may appoint superintendent and other officers.
Salaries.

By-laws.

SEC. 5. *And be it further enacted*, That before entering upon the duties of his office the superintendent shall give a bond to the trustees, with sureties to be approved by the board of trustees and by the Secretary of the Interior, in the sum of three thousand dollars, conditioned that he shall faithfully account for all money received by him, and faithfully perform all the duties incumbent on him as superintendent of said house of correction.

Superintendent to give bond.

Conditions.

SEC. 6. *And be it further enacted*, That a treasurer of the institution shall be appointed by the board of trustees, subject to the approval of the Secretary of the Interior, who shall, before entering upon the duties of his office, give a bond to the trustees, with sureties to be approved by the board of trustees and by the Secretary of the Interior, in the sum of five thousand dollars, conditioned that he shall faithfully account for all the money received by him as treasurer; and it shall be his duty to keep a clear and full record of his accounts as treasurer, and report an abstract of the same to the chairman of the board of trustees once in every two months.

Treasurer.

Bond.

Conditions.
Duties of treasurer.

SEC. 7. *And be it further enacted*, That, as soon after their appointment as possible, the board of trustees shall take measures to have the land and building designated suitably prepared for the use of said house of correction; and, as soon as the buildings and premises are prepared for occupancy, the trustees shall give notice to the proper authorities and courts of the cities of Washington and Georgetown, and of the county of Washington, that the house of correction is ready to receive inmates.

Grounds and buildings to be prepared.

Notice when ready.

SEC. 8. *And be it further enacted*, That when any boy under the age of fourteen years is found guilty in a court in the District of Columbia of any crime punishable by imprisonment other than imprisonment for life, he shall be committed to the said house of correction, and there held in custody of the superintendent for the term of his sentence; and when any boy over fourteen and under sixteen years of age shall be found guilty in a court of the District of Columbia of any crime punishable by imprisonment other than imprisonment for life, it shall be the duty of the court trying the case to consider carefully and decide whether he is or is not a fit subject for the house of correction, and make its sentence accord with its decision of this question.

Boys of what age and for what offences may be sentenced to house of correction.

SEC. 9. *And be it further enacted*, That the superintendent shall reside at the institution constantly, and that he, with such subordinate officers as may be appointed in accordance with the fourth section of this act, shall

Superintendent to reside at the institution, and to have the

charge, custody, instruction, &c. of the boys.

have the charge and custody of the boys; shall govern them in accordance with such rules and regulations as the board of trustees may prescribe in its by-laws; shall employ them in agricultural, mechanical, or other labor; shall give them instruction in reading, writing, arithmetic, geography, and such other studies, and in such arts and trades as the trustees may direct; and shall employ such methods of discipline as will, as far as possible, reform their characters, preserve their health, promote regular improvement in their s[t]udies, trades, and employments, and secure in them fixed habits of religion, morality, and industry.

Superintendent to have charge of property of institution; to keep accounts of receipts and expenditures; to account for money received; to keep register of boys admitted.

SEC. 10. *And be it further enacted*, That the superintendent shall have charge of the lands, buildings, furniture, tools, implements, stock, provisions, and every other species of property pertaining to the institution, within the precincts thereof; and he shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of all the property intrusted to him, so as to show clearly the income and expenses of the institution; and he shall account to the treasurer, in such manner as the trustees may prescribe, for all the money received by him from the proceeds of the institution or otherwise; and he shall keep a register of the names and ages of all boys committed to the institution, with the dates of their admission and discharge, and such particulars of their history before and after leaving the institution as he can obtain. His books and all documents relating to the house of correction, shall at all times be open to the inspection of the trustees, who shall once or more in every three months carefully examine his accounts and the vouchers and documents connected therewith, and make a record of the result of such examination.

Books, &c. to be open to inspection of trustees.

Accounts to be examined quarterly.

Contracts on account of the institution how made.

Suits.

SEC. 11. *And be it further enacted*, That all contracts on account of the institution shall be made by the superintendent, and, when approved by the trustees, if their by-laws shall require their approval, shall be binding in law, and the superintendent, or his successor, may sue or be sued thereon to final judgment and execution; and no suit shall abate by reason of the office of superintendent becoming vacant during the pendency of such suit, but any successor in the office shall assume the prosecution or defence of any pending suit, and continue the prosecution or defence until such suit shall be concluded.

Trustees to visit institution at least once in two weeks.

Record of visits to be kept. Quarterly examination of institution.

Annual report to Secretary of Interior.

SEC. 12. *And be it further enacted*, That one or more of the trustees shall visit the said house of correction, once, at least, in every two weeks, at which time the condition of the same shall be carefully examined and the register inspected; a record of the visits shall be kept in the books of the superintendent; once in every three months the institution shall be thoroughly examined in all its departments by not less than three of the trustees, and a report of such examinations shall be made to the board; and an abstract of the reports, together with full annual reports of the superintendent and the treasurer, shall be presented to the Secretary of the Interior on or before the fifteenth day of November in each year.

Expenses of boys while in the institution, how paid.

SEC. 13. *And be it further enacted*, That when a boy shall be committed to the said house of correction, the city in which he had his residence at the time of such commitment, or, if his residence was within the county of Washington, and not within the city of Washington, or the city of Georgetown, then the county of Washington shall pay to the treasurer of the house of correction fifty cents a week while he remains therein; the payment shall be made quarterly on the first days of January, April, July, and October; and any sum so paid may be recovered by such city or county of any parent, kindred, or guardian, liable by law to maintain him.

How to be recovered.

Appropriation.

SEC. 14. *And be it further enacted*, That for the purpose of securing a transfer of the building and other property to the trustees, preparing the premises and building for occupancy, and for the payment of other neces-

sary expenses, there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of twelve thousand dollars, to be paid only on the order of the Secretary of the Interior: *Provided*, That six thousand dollars of said appropriation is hereby declared to be the sum that shall be assessed and paid by the cities of Washington and Georgetown, and the county of Washington; and it shall be the duty of the proper authorities of the city of Washington to raise, by tax or otherwise, and pay into the treasury of the United States, at or before the time when the premises shall be ready for occupancy by the house of correction, the sum of four thousand five hundred dollars; and it shall be the duty of the proper authorities of the city of Georgetown to raise and pay in like manner the sum of one thousand dollars; and it shall be the duty of the proper authorities of the county of Washington to raise and pay in like manner the sum of five hundred dollars; and in case of default of such payment into the treasury of the United States by either of said cities or by the said county of Washington, the party so making default shall be liable to summary proceedings before the supreme court of the District of Columbia, at the instance of the United States attorney for said District, to enforce the same, with interest thereon after the date of default.

SEC. 15. *And be it further enacted*, That this act shall take effect from the date of its passage.

APPROVED, July 25, 1866.

Sum to be assessed upon and paid by Washington and Georgetown.

Proportion of city of Washington;

of city of Georgetown;

of county of Washington.

Proceedings in case of default in payment.

When act to take effect.

CHAP. CCXXXIX. — *An Act to incorporate "The Soldiers' and Sailors' Union" of Washington, D. C.*

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That H. A. Hall, W. C. Porter, Will A. Short, James Cross, J. H. Nightingale, D. S. Curtiss, L. Edwin Dudley, G. M. Van Buren, Wm. S. Morse, Lawrence Wilson, Wm. L. Bramhall, F. E. Drake, B. P. Cutter, W. H. H. Bates, H. N. Rothery, S. G. Merrill, Chas. A. Appel, O. A. Lukenbaugh, J. S. Firman, John H. Simpson, George W. De Costa, L. J. Bryant, J. H. Gray, Lyman S. Emery, and A. I. Bennett, and their successors in office, be, and they are hereby, incorporated and made a body politic and corporate, by the name of the "Soldiers' and Sailors' Union of the City of Washington, D. C.," and by that name may sue and be sued, plead and be impleaded in any court of law or equity, and may have and use a common seal, and exercise the powers, rights, and privileges incident to such corporations.

Soldiers' and Sailors' Union incorporated.

Powers, &c.

SEC. 2. *And be it further enacted*, That the said corporation shall be capable of acquiring, receiving, holding, and conveying real and personal estate, not exceeding two hundred thousand dollars in value; which estate shall never be divided among the members of the corporation, but shall descend to their successors for the promotion of the interests and general welfare of the soldiers and sailors of this corporation, who have served in the Union army or navy during the late war for the suppression of the rebellion, and the relief and protection of their widows and orphans.

May hold, &c. real and personal estate.

How held and transmitted.

SEC. 3. *And be it further enacted*, That this corporation shall have power to alter and amend its constitution and by-laws: *Provided*, That they do not conflict with the laws of the United States or the laws of the corporation of the city of Washington, D. C.

Constitution and by-laws may be amended.

SEC. 4. *And be it further enacted*, That said corporation shall not exercise banking privileges, or issue or put in circulation any bank note, paper, token, scrip, or device, to be used as currency.

Corporation not to exercise banking privileges or issue notes, &c.

SEC. 5. *And be it further enacted*, That Congress reserves the right to alter or repeal this act at any time.

Act may be altered, &c.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXL. — *An Act legalizing Marriages and for other Purposes in the District of Columbia.*

Certain colored persons in the District of Columbia, living together as man and wife, &c. to be deemed husband and wife.

Their children legitimate.

Children of those who have ceased to cohabit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all colored persons in the District of Columbia, who, previous to their actual emancipation, had undertaken and agreed to occupy the relation to each other of husband and wife, and are cohabiting together as such or in any way recognizing the relation as still existing at the time of the passage of this act, whether the rites of marriage have been celebrated between them or not, shall be deemed husband and wife, and be entitled to all the rights and privileges, and subject to the duties and obligations of that relation in like manner as if they had been duly married according to law, and all their children shall be deemed legitimate, whether born before or after the passage of this act. And when the parties have ceased to cohabit before the passage of this act, in consequence of the death of the woman, or from any other cause, all the children of the woman recognized by the man to be his shall be deemed legitimate.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCXLI. — *An Act granting Lands to the State of Kansas to aid in the Construction of the Kansas and Neosho Valley Railroad and its Extension to Red River.*

Public lands granted to Kansas, to aid the construction of the Kansas and Neosho Valley Railroad Company.

Extent of grant, and selection of lands.

If any of the land granted has been before sold, or reserved, &c., what may be taken in lieu thereof.

Lands before reserved excepted from operation of this act.

Right of way through such lands.

No land to be selected beyond twenty miles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding the Kansas and Neosho Valley Railroad Company, the same being a corporation organized under the laws of the State of Kansas, to construct and operate a railroad from the eastern terminus of the Union Pacific Railroad, eastern division, at the line between Kansas and Missouri, at or near the mouth of the Kansas River, on the south side thereof, southwardly, through the eastern tier of counties in Kansas, with a view of its extension, so as to effect a junction at Red River with a railroad now being constructed from Galveston to Red River at or near Preston, in Texas, there is hereby granted to the State of Kansas, for the use and benefit of said railroad company, every alternate section of land or parts thereof, designated by odd numbers, to the extent of ten sections per mile on each side of said road, to be selected within twenty miles of from [of] the line of said road; but in case it shall appear that the United States have, when the line of said road is definitely located, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to the sections above specified, so much land as shall be equal to the amount of such lands as the United States have sold, reserved, or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by the direction of the Secretary of the Interior, shall be reserved and held for the State of Kansas for the use of said company by the said Secretary for the purpose of the construction and operation of said railroad, as provided by this act: *Provided,* That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement or other purpose whatever, be, and the same are hereby, reserved and excepted from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way two hundred feet in width is hereby granted, subject to the approval of the President of the United States: *And provided, further,* That none of the lands hereby granted shall be selected beyond twenty miles from the said road.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which by the aforesaid grant shall remain in the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price of public lands when sold, nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the minimum price aforesaid: *Provided*, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: *And provided also*, That settlers under the provisions of the homestead act, who make their settlement after the passage of this act, and comply with the terms and requirements of said act, shall be entitled, within the said limits of ten miles, to patents for an amount not exceeding eighty acres each.

Sections remaining to the United States, &c. not to be sold for less than double minimum price;

to be offered at public auction.

Settlers under pre-emption laws may purchase, &c.

Settlers under the homestead act may have not over eighty acres each.

SEC. 3. *And be it further enacted*, That the grant of lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and that [it will] at all times be in readiness to transport troops, munitions of war, supplies, and public stores upon its road for the government, when required to do so by any department thereof, at the cost, charge, and expense of said company. And the lands hereby granted, held, and reserved as aforesaid shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good, substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for so many sections of the land within the limits above named as are coterminous with said completed section hereinbefore granted; and when certificates of the governor aforesaid shall be presented to said Secretary, of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the land for each of said sections of road as in the first instance, until said road shall be completed: *Provided*, That if said road is not completed within ten years from the date of the acceptance of the grant hereinbefore made, the lands remaining unpatented shall revert to the United States: *And provided further*, That the said lands shall not, in any manner, be disposed of or incumbered by said company or its assigns, except as the same are patented under the provisions of this act.

This grant is made upon condition, &c.

Transportation of troops, &c. to be free to the government.

When and how the lands inure to the benefit of the company.

If road is not completed within ten years, the lands unpatented to revert to the United States.

The lands not to be disposed of or incumbered by the company, except as patented.

SEC. 4. *And be it further enacted*, That as soon as said company shall file with the Secretary of the Interior maps of its line, designating the route thereof, it shall be the duty of the said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

Lands to be withdrawn from market as soon as maps are filed.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported on said road and its extension, under the direction of the Post Office Department, at such price as Congress may by law provide: *Provided*, That until such price is fixed by law the Postmaster-General shall have power to fix the compensation.

Mails to be transported at price fixed by Congress.

Proviso.

SEC. 6. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said Kansas and Neosho Valley Railroad Company, its successors and assigns, for the construction of a railroad as proposed; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations.

Right of way granted through public lands.

Material for construction from adjacent land.

Extent of grant.

Ground for station buildings, &c.

Acceptance of this grant by the railroad company to be in writing;

to be made within a year.

Said railroad company may extend its road to Red River.

Right of way granted through the Indian Territory where such right is reserved to the United States; where such right is not reserved.

Grant of lands through the Indian Territory made to the road, when the Indian title is extinguished.

The company may negotiate with Indians and others for lands.

Certain other railroads may unite with this road, after it is located to the valley of the Neosho River.

Tariff for freight and passengers.

If the Union Pacific Railroad Company, &c. completes its road to certain point before the Kansas, &c. Co. completes its road to that point, it may construct the road thence to

SEC. 7. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Kansas and Neosho Valley Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 8. *And be it further enacted*, That said Kansas and Neosho Valley Railroad Company, its successors and assigns, is hereby authorized and empowered to extend and construct its railroad from the southern boundary of Kansas south, through the Indian Territory, to Red River, at or near Preston, in the State of Texas, so as to connect with the railway now being constructed from Galveston to a point at or near Preston, in said State; and the right of way through the Indian Territory, wherever such right is now reserved or may hereafter be reserved to the United States by treaty with the Indian tribes, is hereby granted to said company, to the same extent as granted by the sixth section of this act through the public lands; and in all cases where the right of way, as aforesaid, through the Indian lands, shall not be reserved to the government, the said company shall, before constructing its road, procure the consent of the tribe or tribes interested, which consent, with all its terms and conditions, shall be previously approved and indorsed by the President and filed with the Secretary of the Interior.

SEC. 9. *And be it further enacted*, That the same grants of lands through said Indian Territory are hereby made as provided in the first section of this act, whenever the Indian title shall be extinguished by treaty or otherwise, not to exceed the ratio per mile granted in the first section of this act: *Provided*, That said lands become a part of the public lands of the United States.

SEC. 10. *And be it further enacted*, That said Kansas and Neosho Valley Railroad Company, its successors and assigns, shall have the right to negotiate with, and acquire from any Indian nation or tribe, authorized by the United States to dispose of lands for railroad purposes, and from any other nation or tribe of Indians through whose lands said railroad may pass, subject to the approval of the President of the United States, or from any company or parties incorporated or authorized for such purposes, by such nation or tribe, or which such parties may have acquired under the laws of the United States.

SEC. 11. *And be it further enacted*, That any railroad company chartered under any law of the United States, or of the State of Kansas, which may have been heretofore or shall hereafter be recognized and subsidized by any act of the Congress of the United States, may connect, unite, and consolidate with this railroad company, after the same shall be located to the valley of the Neosho River, upon just, fair, and equitable terms, to be agreed upon between the parties, and shall not be against the public interest or the interest of the United States; nor shall any road authorized to connect as aforesaid charge the road so connecting a greater tariff per mile for freight or passengers than is charged for the same per mile by its own road: *And provided further*, That should the Leavenworth, Lawrence, and Fort Gibson Railroad Company, or the Union Pacific Railroad Company, southern branch, construct and complete its road to that point on the southern boundary of the State of Kansas where the line of said Kansas and Neosho Valley Railroad shall cross the same, before the said Kansas and Neosho Valley Railroad Company shall have constructed and completed its said road to said point, then and in that event the company so first reaching in completion the said point on the southern boundary of the State of Kansas shall be authorized, upon obtaining the written approval of the President of the United States, to construct and operate its line of railroad from said point to a point at

or near Preston, in the State of Texas, with grants of land according to the provisions of this act, but upon the further special condition, nevertheless, that said railroad company shall have commenced in good faith the construction thereof before the said Kansas and Neosho Valley Railroad Company shall have completed its said railroad to said point: *And provided further*, That said other railroad company, so having commenced said work in good faith, shall continue to prosecute the same with sufficient energy to insure the completion of the same within a reasonable time, subject to the approval of the President of the United States: *And provided further*, That the right of way through private property when not otherwise provided for in this act, or by the law of any State through which the road may pass, shall be obtained by said Kansas and Neosho Valley Railroad Company, or either of the other companies named in this act, in accordance with the provisions of section three of an act to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two.

APPROVED, July 25, 1866.

Preston, Texas, with grants of land, &c.

Work to be prosecuted with energy.

Right of way through private property.

1862, ch. 120, § 3. Vol. xii. p. 492.

CHAP. CCXLII. — *An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from the Central Pacific Railroad, in California, to Portland, in Oregon.*

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "California and Oregon Railroad Company," organized under an act of the State of California, to protect certain parties in and to a railroad survey, "to connect Portland, in Oregon, with Marysville, in California," approved April sixth, eighteen hundred and sixty-three, and such company organized under the laws of Oregon as the legislature of said State shall hereafter designate, be, and they are hereby, authorized and empowered to lay out, locate, construct, finish, and maintain a railroad and telegraph line between the city of Portland, in Oregon, and the Central Pacific Railroad, in California, in the manner following, to wit: The said California and Oregon Railroad Company to construct that part of the said railroad and telegraph within the State of California, beginning at some point (to be selected by said company) on the Central Pacific Railroad in the Sacramento valley, in the State of California, and running thence northerly, through the Sacramento and Shasta valleys, to the northern boundary of the State of California; and the said Oregon company to construct that part of the said railroad and telegraph line within the State of Oregon, beginning at the city of Portland, in Oregon, and running thence southerly through the Willamette, Umpqua, and Rogue River valleys to the southern boundary of Oregon, where the same shall connect with the part aforesaid to be made by the first-named company: *Provided*, That the company completing its respective part of the said railroad and telegraph from either of the termini herein named to the line between California and Oregon before the other company shall have likewise arrived at the same line, shall have the right, and the said company is hereby authorized, to continue in constructing the same beyond the line aforesaid, with the consent of the State in which the unfinished part may lie, upon the terms mentioned in this act, until the said parts shall meet and connect, and the whole line of said railroad and telegraph shall be completed.

The California and Oregon R. Co., and an Oregon company, may locate and construct a railroad and telegraph line between Portland, Oregon, and the Central Pacific Railroad in California.

What part the C. & O. Company to build.

The company first completing its part, may continue its road, with consent of State.

SEC. 2. *And be further enacted*, That there be, and hereby is, granted to the said companies, their successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the line of said railroad, every alternate section of

Grant of public lands, not mineral, to said companies, to aid in the construction of road, &c.

If any sections of land have been sold, or are occupied, other lands may be selected in lieu thereof.

When maps of survey are filed, lands to be withdrawn from sale.

Lands granted to be applied to building road in the States where they lie.

Remaining lands to be sold for what price.

Settlers under pre-emption laws may purchase at what price;

under homestead act may have not over eighty acres.

Right of way through public lands granted to said companies.

Materials for construction from adjacent lands.

Extent of grant of right of way.

Land for stations, &c.

When and how patents for these granted lands shall issue to said companies.

Conditions of grants.

public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile (ten on each side) of said railroad line; and when any of said alternate sections or parts of sections shall be found to have been granted, sold, reserved, occupied by homestead settlers, pre-empted, or otherwise disposed of, other lands, designated as aforesaid, shall be selected by said companies in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections designated by odd numbers as aforesaid, nearest to and not more than ten miles beyond the limits of said first-named alternate sections; and as soon as the said companies, or either of them, shall file in the office of the Secretary of the Interior a map of the survey of said railroad, or any portion thereof, not less than sixty continuous miles from either terminus, the Secretary of the Interior shall withdraw from sale public lands herein granted on each side of said railroad, so far as located and within the limits before specified. The lands herein granted shall be applied to the building of said road within the States, respectively, wherein they are situated. And the sections and parts of sections of land which shall remain in the United States within the limits of the aforesaid grant shall not be sold for less than double the minimum price of public lands when sold: *Provided*, That bona fide and actual settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: *And provided, also*, That, settlers under the provisions of the homestead act, who comply with the terms and requirements of said act, shall be entitled, within the limits of said grant, to patents for an amount not exceeding eighty acres of the land so reserved by the United States, anything in this act to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said companies for the construction of said railroad and telegraph line; and the right, power, and authority are hereby given to said companies to take from the public lands adjacent to the line of said road, earth, stone, timber, water, and other materials for the construction thereof. Said right of way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, water stations, or any other structures required in the construction and operating of said road.

SEC. 4. *And be it further enacted*, That whenever the said companies, or either of them, shall have twenty or more consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated by this act, the President of the United States shall appoint three commissioners, whose compensation shall be paid by said company, to examine the same, and if it shall appear that twenty consecutive miles of railroad and telegraph shall have been completed and equipped in all respects as required by this act, the said commissioners shall so report under oath to the President of the United States, and thereupon patents shall issue to said companies, or either of them, as the case may be, for the lands hereinbefore granted, to the extent of and coterminous with the completed section of said railroad and telegraph line as aforesaid; and from time to time, whenever twenty or more consecutive miles of the said road and telegraph shall be completed and equipped as aforesaid, patents shall in like manner issue upon the report of the said commissioners, and so on until the entire railroad and telegraph authorized by this act shall have been constructed, and the patents of the lands herein granted shall have been issued.

SEC. 5. *And be it further enacted*, That the grants aforesaid are made upon the condition that the said companies shall keep said railroad and

telegraph in repair and use, and shall at all times transport the mails upon said railroad, and transmit despatches by said telegraph line for the government of the United States, when required so to do by any department thereof, and that the government shall at all times have the preference in the use of said railroad and telegraph therefor at fair and reasonable rates of compensation, not to exceed the rates paid by private parties for the same kind of service. And said railroad shall be and remain a public highway for the use of the government of the United States, free of all toll or other charges upon the transportation of the property or troops of the United States; and the same shall be transported over said road at the cost, charge, and expense of the corporations or companies owning or operating the same, when so required by the government of the United States.

SEC. 6. *And be it further enacted*, That the said companies shall file their assent to this act in the Department of the Interior within one year after the passage hereof, and shall complete the first section of twenty miles of said railroad and telegraph within two years, and at least twenty miles in each year thereafter, and the whole on or before the first day of July, one thousand eight hundred and seventy-five; and the said railroad shall be of the same gauge as the "Central Pacific Railroad" of California, and be connected therewith.

SEC. 7. *And be it further enacted*, That the said companies named in this act are hereby required to operate and use the portions or parts of said railroad and telegraph mentioned in section one of this act for all purposes of transportation, travel, and communication, so far as the government and public are concerned, as one connected and continuous line; and in such operation and use to afford and secure to each other equal advantages and facilities as to rates, time, and transportation, without any discrimination whatever, on pain of forfeiting the full amount of damage sustained on account of such discrimination, to be sued for and recovered in any court of the United States, or of any State, of competent jurisdiction.

SEC. 8. *And be it further enacted*, That in case the said companies shall fail to comply with the terms and conditions required, namely, by not filing their assent thereto as provided in section six of this act, or by not completing the same as provided in said section, this act shall be null and void, and all the lands not conveyed by patent to said company or companies, as the case may be, at the date of any such failure, shall revert to the United States. And in case the said road and telegraph line shall not be kept in repair and fit for use, after the same shall have been completed, Congress may pass an act to put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the United States, to repay all expenditures caused by the default and neglect of said companies or either of them, as the case may be, or may fix pecuniary responsibility, not exceeding the value of the lands granted by this act.

SEC. 9. *And be it further enacted*, That the said "California and Oregon Railroad Company" and the said "Oregon Company" shall be governed by the provisions of the general railroad and telegraph laws of their respective States, as to the construction and management of the said railroad and telegraph line hereinbefore authorized, in all matters not provided for in this act. Wherever the word "company" or "companies" is used in this act it shall be construed to embrace the words "their associates, successors, and assigns," the same as if the words had been inserted, or thereto annexed.

SEC. 10. *And be it further enacted*, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, so much of the timber thereon as shall be required to construct said road over such mineral land is hereby granted to said companies: *Provided*, That the term "mineral lands" shall not include lands containing coal and iron.

Railroad to be a public highway and free to the United States.

Companies when to file assent to this act.

Rate of progress to be made.

Gauge. To be connected with Central Pacific Railroad.

Companies to use and operate road as one continuous line, and to secure to each other equal advantages, &c.

If companies fail to comply with certain conditions, this act to be void, and the lands not conveyed to revert to the United States.

If road and telegraph line are not kept in repair, Congress may, &c.

The companies to be governed by the laws of their respective States.

The word "company" to include "associates, successors, and assigns."

Mineral lands excepted from this grant.

Timber for construction. "Mineral" not coal and iron.

Companies to obtain consent of States, where road and telegraph line do not pass through public lands.

Act may be amended, &c.

SEC. 11. *And be it further enacted*, That the said companies named in this act shall obtain the consent of the legislatures of their respective States, and be governed by the statutory regulations thereof in all matters pertaining to the right of way, wherever the said road and telegraph line shall not pass over or through the public lands of the United States.

SEC. 12. *And be it further enacted*, That Congress may at any time, having due regard for the rights of said California and Oregon railroad companies, add to, alter, amend, or repeal this act.

APPROVED, July 25, 1866.

July 25, 1866. CHAP. CCXLIII. — *An Act to change the Place of holding Court in the Northern District of Georgia.*

District court for northern district of Georgia to be held at Atlanta.

Process.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court for the northern district of Georgia shall hereafter be held at Atlanta, instead of Marietta; and the clerk of said northern district is hereby required to remove all the books, papers, and records belonging to his office from Marietta to Atlanta.

SEC. 2. *And be it further enacted*, That all process made returnable to the court heretofore held at Marietta shall be taken and considered returnable to the court at Atlanta.

APPROVED, July 25, 1866.

July 25, 1866. CHAP. CCXLIV. — *An Act granting to A. Sutro the Right of Way, and granting other Privileges to aid in the Construction of a Draining and Exploring Tunnel to the Comstock Lode, in the State of Nevada.*

Right of way granted to A. Sutro, &c. to construct a mining, &c. tunnel, &c.

Dimensions of tunnel, where to commence, &c.

Right of way to extend northerly and southerly &c.

A. Sutro may purchase not over two sections of public land at mouth of tunnel, for use thereof. Not to be mineral lands, &c.

Upon filing plat, land to be withdrawn from sale.

Patent to issue. Certain mineral veins and lodes may be purchased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the construction of a deep draining and exploring tunnel to and beyond the "Comstock lode," so called, in the State of Nevada, the right of way is hereby granted to A. Sutro, his heirs and assigns, to run, construct, and excavate a mining, draining, and exploring tunnel; also to sink mining, working, or air shafts along the line or course of said tunnel, and connecting with the same at any point which may hereafter be selected by the grantee herein, his heirs or assigns. The said tunnel shall be at least eight feet high and eight feet wide, and shall commence at some point to be selected by the grantee herein, his heirs or assigns, at the hills near Carson River, and within the boundaries of Lyon County, and extending from said initial point in a westerly direction seven miles, more or less, to and beyond said Comstock lode; and the said right of way shall extend northerly and southerly on the course of said lode, either within the same, or east or west of the same; and also on or along any other lode which may be discovered or developed by the said tunnel.

SEC. 2. *And be it further enacted*, That the right is hereby granted to the said A. Sutro, his heirs and assigns, to purchase, at one dollar and twenty-five cents per acre, a sufficient amount of public land near the mouth of said tunnel for the use of the same, not exceeding two sections, and such land shall not be mineral land or in the bona fide possession of other persons who claim under any law of Congress at the time of the passage of this act, and all minerals existing or which shall be discovered therein are excepted from this grant; that upon filing a plat of said land the Secretary of the Interior shall withdraw the same from sale, and upon payment for the same a patent shall issue. And the said A. Sutro, his heirs and assigns, are hereby granted the right to purchase, at five dollars per acre, such mineral veins and lodes within two thousand feet on each side of said tunnel as shall be cut, discovered, or developed by running and constructing the same, through its entire extent, with all the dips, spurs, and angles of such lodes, subject, however, to the

provisions of this act, and to such legislation as Congress may hereafter provide: *Provided*, That the Comstock lode, with its dips, spurs, and angles, is excepted from this grant, and all other lodes, with their dips, spurs, and angles, located within the said two thousand feet, and which are or may be, at the passage of this act, in the actual bona fide possession of other persons, are hereby excepted from such grant. And the lodes herein excepted, other than the Comstock lode, shall be withheld from sale by the United States; and if such lodes shall be abandoned or not worked, possessed, and held in conformity to existing mining rules, or such regulations as have been or may be prescribed by the legislature of Nevada, they shall become subject to such right of purchase by the grantee herein, his heirs or assigns.

Comstock lode, &c. and certain other lodes excepted from this act.

Lodes to be withheld from sale.

SEC. 3. *And be it further enacted*, That all persons, companies, or corporations owning claims or mines on said Comstock lode or any other lode drained, benefited, or developed by said tunnel, shall hold their claims subject to the condition, (which shall be expressed in any grant they may hereafter obtain from the United States,) that they shall contribute and pay to the owners of said tunnel the same rate of charges for drainage or other benefits derived from said tunnel or its branches, as have been, or may hereafter be, named in agreement between such owners and the companies representing a majority of the estimated value of said Comstock lode at the time of the passage of this act.

Owners of claims or mines on Comstock or other lode, benefited by the tunnel, to hold claims subject, &c.

APPROVED, July 25, 1866.

CHAP. CCXLV. — *An Act to regulate the Times and Manner of holding Elections for Senators in Congress.*

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legislature of each State which shall be chosen next preceding the expiration of the time for which any senator was elected to represent said State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a senator in Congress, in the place of such senator so going out of office, in the following manner: Each house shall openly, by a viva voce of each member present, name one person for senator in Congress from said State, and the name of the person so voted for, who shall have a majority of the whole number of votes cast in each house shall be entered on the journal of each house by the clerk or secretary thereof; but if either house shall fail to give such majority to any person on said day, that fact shall be entered on the journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly and the journal of each house shall then be read, and if the same person shall have received a majority of all the votes in each house, such person shall be declared duly elected senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the joint assembly shall then proceed to choose, by a viva voce vote of each member present a person for the purpose aforesaid, and the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the legislature, and take at least one vote until a senator shall be elected.

What legislatures of States, and when to elect senators in Congress.

Mode of election.

SEC. 2. *And be it further enacted*, That whenever, on the meeting of the legislature of any State, a vacancy shall exist in the representation of such State in the senate of the United States, said legislature shall pro-

Proceedings to elect a senator to fill a vacancy.

ceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy, in the manner hereinbefore provided for the election of a senator for a full term; and if a vacancy shall happen during the session of the legislature, then on the second Tuesday after the legislature shall have been organized and shall have notice of such vacancy.

Certificate of election of senator to be certified to the president of the senate.

SEC. 3. *And be it further enacted*, That it shall be the duty of the governor of the State from which any senator shall have been chosen as aforesaid to certify his election, under the seal of the State, to the President of the senate of the United States, which certificate shall be countersigned by the secretary of state of the State.

APPROVED, July 25, 1866.

July 25, 1866. CHAP. CCXLVI. — *An Act to authorize the Construction of certain Bridges, and to establish them as Post Roads.*

Bridge may be built across the Mississippi River at Quincy, Illinois, and railroad tracks laid thereon.

Trains may cross for compensation.

Question of obstruction to navigation may be tried where.

Bridge may be built with draw or unbroken spans.

Height, if made with unbroken spans.

Length of spans.

Pivot draw-bridge, with draw over main channel, and spans, &c.

Draw to be opened promptly, except, &c.

Bridges constructed according to this act to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for any person or persons, company or corporation, having authority from the States of Illinois and Missouri for such purpose, to build a bridge across the Mississippi River at Quincy, Illinois, and to lay on and over said bridge railway tracks, for the more perfect connection of any railroads that are or shall be constructed to the said river at or opposite said point, and that when constructed all trains of all roads terminating at said river, at or opposite said point, shall be allowed to cross said bridge for reasonable compensation, to be made to the owners of said bridge, under the limitations and conditions hereinafter provided. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

SEC. 2. *And be it further enacted*, That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a drawbridge, with a pivot or other form of draw, or with unbroken or continuous spans: *Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than two hundred and fifty feet in length, and the piers of said bridge shall be parallel with the current of the river, and the main span shall be over the main channel of the river and not less than three hundred feet in length: *And provided also*, That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed as a pivot drawbridge with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than one hundred and sixty feet in length in the clear on each side of the central or pivot pier of the draw, and the next adjoining spans to the draw shall not be less than two hundred and fifty feet; and said spans shall not be less than thirty feet above low-water mark, and not less than ten above extreme high-water mark, measuring to the bottom chord of the bridge, and the piers of said bridge shall be parallel with the current of the river: *And provided also*, That said draw shall be opened promptly upon reasonable signal for the passage of boats, whose construction shall not be such as to admit of their passage under the permanent spans of said bridge, except when trains are passing over the same; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

SEC. 3. *And be it further enacted*, That any bridge constructed under this act, and according to its limitations, shall be a lawful structure, and

shall be recognized and known as a post route; upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

be lawful structures and post routes.

Rates of toll.

SEC. 4. *And be it further enacted*, That it shall be lawful for the Chicago, Burlington, and Quincy Railroad Company, a corporation whose road has been completed to the Mississippi River, and connects with a railroad on the opposite side thereof, having first obtained authority therefor from the States of Illinois and Iowa, to construct a railroad bridge across said river, upon the same terms, in the same manner, under the same restrictions, and with the same privileges, as is provided for in this act in relation to the bridge at Quincy, Illinois.

Chicago, Burlington, and Quincy Railroad Company may build a railroad bridge across the Mississippi, if, &c.

SEC. 5. *And be it further enacted*, That a bridge may be constructed at the town of Hannibal, in the State of Missouri, across the Mississippi River, so as to connect the Hannibal and Saint Joseph Railroad with the Pike County and Great Western railroads of Illinois, on the same terms and subject to the same restrictions as contained in this act for the construction of the bridge at Quincy, Illinois.

Bridge may be built across the river at Hannibal, Missouri;

SEC. 6. *And be it further enacted*, That a bridge may be constructed across the Mississippi River between Prairie du Chien, in the State of Wisconsin, and North McGregor, in the State of Iowa, with the consent of the legislatures of Wisconsin and Iowa, on the same terms and subject to the same restrictions as are contained in this act for the construction of the bridge at Quincy, Illinois.

between Prairie du Chien and North McGregor;

SEC. 7. *And be it further enacted*, That the Keokuk and Hamilton Mississippi Bridge Company, a corporation existing under the laws of the State of Iowa, and the Hancock County Bridge Company, a corporation existing under the laws of the State of Illinois, be and are hereby authorized to construct and maintain a bridge over the Mississippi River between Keokuk, Iowa, and Hamilton, Illinois, of the same character, description, and construction as provided in this act for the bridges at Quincy and Burlington; and the said bridge, in its use and operation, shall be subject to the same restrictions that apply to said bridges at Quincy and Burlington by the terms of this act.

between Keokuk and Hamilton;

SEC. 8. *And be it further enacted*, That the Winona and Saint Peter Railroad Company, a corporation existing under the laws of the State of Minnesota, is hereby authorized to construct and operate a railroad bridge across the Mississippi River between the city of Winona, in the State of Minnesota, and the opposite bank of the said river, in the State of Wisconsin, with the consent of the legislatures of the States of Minnesota and Wisconsin; and said bridge by this section authorized is hereby declared a post route, and subject to all the terms, restrictions, and requirements contained in the foregoing sections of this act.

between Winona and opposite bank of river, if, &c.;

this bridge made a post road;

SEC. 9. *And be it further enacted*, That a bridge may be constructed and maintained across the Mississippi River, between Dunleith, in the State of Illinois, and Dubuque, in the State of Iowa, with the consent of said States previously given or hereafter acquired, with the same privileges, upon the same terms, and under the same restrictions as are contained in this act for the construction of a bridge at Quincy, Illinois.

between Dunleith and Dubuque, if, &c.;

SEC. 10. *And be it further enacted*, That any company authorized by the legislature of Missouri may construct a bridge across the Missouri River, at the city of Kansas, upon the same terms and conditions provided for in this act.

at the city of Kansas;

SEC. 11. *And be it further enacted*, That the "Saint Louis and Illinois Bridge Company," a corporation organized under an act of the general assembly of the State of Missouri, approved February fifth, eighteen hundred and sixty-four, and an act amendatory of the same, approved February twentieth, eighteen hundred and sixty-five, and also confirmed

between the city of Saint Louis and East Saint Louis.

in its corporate powers under an act of the legislature of the State of Illinois, approved eighteen hundred and sixty-four, or any other bridge company organized under the laws of Missouri and Illinois, be, and the same is hereby, empowered to erect, maintain, and operate a bridge across the Mississippi River, between the city of Saint Louis, in the State of Missouri, and the city of East Saint Louis, in the State of Illinois, subject to all the conditions contained in said act of incorporation and amendments thereto, and not inconsistent with the following terms and provisions contained in this act. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said waters, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

Question of obstruction, where may be tried.

Bridge to be built with unbroken spans.

Conditions. Height and length of spans.

Act may be altered, &c.

SEC. 12. *And be it further enacted*, That the bridge authorized by the preceeding section to be built shall not be a suspension bridge, or draw-bridge, with pivot or other form of draw, but shall be constructed with continuous or unbroken spans, and subject to these conditions: First, that the lowest part of the bridge or bottom chord shall not be less than fifty feet above the city directrix at its greatest span. Second, that it shall have at least one span five hundred feet in the clear, or two spans of three hundred and fifty feet in the clear of abutments. If the two latter spans be used, the one over the main steamboat channel shall be fifty feet above the city directrix, measured to the lowest part of the bridge at the centre of the span. Third, no span over the water at low-water mark, shall be less than two hundred feet in the clear of abutments.

SEC. 13. *And be it further enacted*, That the right to alter or amend this act, so as to prevent or remove all material obstructions to the navigation of said river by the construction of bridges, is hereby expressly reserved.

APPROVED, July 25, 1866.

July 25, 1866. CHAP. CCXLVII. — *An Act to authorize W. J. Sibley and others, Trustees, to sell and convey Lot Number nine, in Square Number Seventy-six, in the City of Washington.*

Preamble.

Whereas lot number nine, in said square number seventy-six, in the said city of Washington, was conveyed by J. H. M'Blair to W. J. Sibley, Ro. Ricketts, R. W. Bates, R. L. Sanders, Benjamin M'Coy, and G. Spoarder, in trust, to erect thereon a place of worship for the use of the people of color, members of the Methodist Episcopal Church in the United States; and whereas the said trustees have not had the means of erecting such church, and the purpose has been abandoned, and another church, called the Asbury Chapel, has been erected in or near the neighborhood of the said lot, which the said trustees desire to sell, and apply the proceeds to the benefit of the congregation worshipping in said Asbury Chapel, a purpose which the said J. H. M'Blair, as far as he had any interest therein, has approved by his subsequent deed made to the said trustees: therefore,

Trustees may sell lot number nine, square seventy-six.

Proceeds of sale, how applied.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the said W. J. Sibley, Ro. Ricketts, R. W. Bates, R. L. Sanders, Benjamin M'Coy, and G. Spoarder, trustees of the said lot above mentioned, or the survivors of them, be, and they are hereby, authorized and empowered to sell and convey the said lot number nine, in square number seventy-six, in the said city of Washington, for such price as they shall think proper, or to confirm and carry out any contract for sale already made by them with any person, and to convey the same accordingly, freed and discharged of the trust upon which the same was originally conveyed to them, and to apply the proceeds of sale to the benefit of the congregation worshipping in the said Asbury Chapel, as the proper and legal authority thereof may deem expedient, and for no other purpose whatever.

APPROVED, July 25, 1866.

CHAP. CCXLVIII. — *An Act providing for the Appointment of a Commission to examine and report upon certain Claims of the State of Iowa.* July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized and required to appoint a commissioner, whose duty it shall be to examine and report on or before the first day of December next upon the claim of the State of Iowa for forage, transportation, subsistence, and clothing furnished by said State to certain volunteers of said State, who, under the command of Colonels Morledge and Edwards, and at the request of certain officers commanding troops of the United States in the State of Missouri, marched into the State of Missouri to co-operate with the troops of the United States in that State in suppressing the rebellion. Also the claim of the State of Iowa for repayment of certain moneys paid by said State in raising, arming, equipping, paying, and subsisting certain troops of the State maintained by the State on the southern and northwestern borders thereof during the late rebellion, for the purpose of defending the State against attacks by bushwhackers and Indians. And also the claim of said State for compensation for certain forage procured and barracks built by the State on the northwestern border thereof, and turned over by the State to and used by the United States.

APPROVED, July 25, 1866.

Claims of the State of Iowa for expenses of certain volunteers, for moneys paid for troops to defend the State, and for forage and barracks, to be examined, &c.

CHAP. CCXLIX. — *An Act to incorporate "The National Soldiers' and Sailors' Orphan Home."* July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Julia B. Grant, Mrs. Ellen E. Sherman, Mrs. H. D. Cooke, Mrs. Margaret Fahnestock, Mrs. Kathleen Carlisle, Miss Charlotte Taylor, Mrs. Jane Speed, Mrs. Mary J. Wells, Mrs. A. C. Harlan, Mrs. Jane L. Smith, Mrs. Mary K. Lewis, Mrs. Jane Farnham, Mrs. Eliza M. Morris, Mrs. Cecelia S. Sherman, Mrs. Ellen Boyer, Mrs. Elizabeth A. Howard, Mrs. Kate C. Sprague, Mrs. Elsie B. Nye, Mrs. Annie Rouse, Mrs. Kate L. Plants, Mrs. Elizabeth G. Todd, Mrs. Abby E. Hall, Mrs. J. M. Trumbull, Miss Sarah Wood, Mrs. Jane Anne Pirle, Miss Elizabeth Howard, and their successors, are constituted a body corporate in the District of Columbia, by the name of the National Soldiers' and Sailors' Orphan Home, and by that name may sue and be sued in any court of the United States.

"The National Soldiers' and Sailors' Orphan Home" incorporated.

SEC. 2. *And be it further enacted,* That the persons named in the first section of this act, together with such as may be elected according to the form of the constitution under this act, shall be the first trustees of the corporation; and all vacancies caused by death, resignation or otherwise, in the office of trustee, shall be filled by the board, by ballot, without unnecessary delay, as may be provided in the constitution and by-laws of the corporation.

Trustees.

Vacancies, how filled.

SEC. 3. *And be it further enacted,* That said corporation shall have power to provide a home for, and to support and educate the destitute orphans of soldiers or sailors who have died in the late war in behalf of the Union of these States, from whatever State or Territory they may have entered the national service, or their orphans may apply to enter the Home, and which is hereby declared to be the object and purpose of said corporation; and to such end, and for such use, the said corporation may take and hold property real or personal to an amount necessary for the support and maintenance of the Home and the orphans partaking of its benefits.

Powers, &c. of corporation.

Corporation may hold real and personal estate.

SEC. 4. *And be it further enacted,* That the affairs of this corporation shall be managed by a board of directors consisting of not less than seventeen representing the District of Columbia, and of seven each,

Board of directors.

By-laws.

from the respective States and Territories, to be chosen in such manner as the constitution and by-laws of said corporation shall direct, and that the said directors shall have power to make by-laws prescribing the duties of the officers of said corporation, their term of office, and to make all other rules and regulations for said corporation and the management of its affairs, subject to the provisions of this act.

Minor children of certain soldiers and sailors may be received, &c.;

SEC. 5. *And be it further enacted*, That said corporation shall have power to receive under its charge for support and education any minor child of any such soldier or sailor, if so placed in its charge by its surviving parent or guardian, or, in the absence of either, by any person having the care or custody of such orphan; and while such child remains under its care, and until withdrawn as hereinafter provided, or discharged according to the regulations of said corporation, it shall be subject to the same power and control by said corporation as any father or lawful guardian has by law over or relating to such minor child.

shall never be bound out;

SEC. 6. *And be it further enacted*, That no such orphan child shall ever be bound out by said corporation.

may be withdrawn by parent or guardian.

SEC. 7. *And be it further enacted*, That the surviving parent or legal guardian of any child placed under charge of said corporation may at any time be by them withdrawn therefrom; and any minor over sixteen years of age, upon his or her own request in writing, shall be discharged therefrom.

Minors over sixteen.

Minor child so withdrawn, to what extent still to be under the charge of the corporation.

SEC. 8. *And be it further enacted*, That any minor child so withdrawn or discharged as provided in the preceding section of this act shall nevertheless continue until majority under charge of said corporation to such an extent as that the said corporation shall have the control and management of any moneys which may be due to such minor from the government of the United States by virtue of the services of the fathers of such minor children, paying to such minor child or children only such amount thereof as in the judgment of said corporation shall be necessary and beneficial for such minor.

Property of corporation to be exempt from tax.

SEC. 9. *And be it further enacted*, That the property of said corporation, held or occupied by them for the uses and purposes of their incorporation, shall be exempt from all taxes to be levied under the authority of the Congress of the United States, or any municipal corporation within the District of Columbia, and no person shall lose or acquire a legal settlement by residence in the Home to be established by said corporation.

Legal settlement not gained or lost by residence in the Home, &c.

This act may be amended, &c.

SEC. 10. *And be it further enacted*, That Congress may at any time hereafter repeal, alter, or amend this act.

APPROVED, July 25, 1866.

July 25, 1866.

1863, ch. 110.

Vol. xii. p. 805.

Washington, Alexandria, and Georgetown R. Co. may extend its road to connect with Washington branch of Baltimore and Ohio Railroad.
Route of extension.

CHAP. CCL. — *An Act to amend "An Act to extend the Charter of the Alexandria and Washington Railroad," passed March third, eighteen hundred and sixty-three.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Washington, Alexandria, and Georgetown Railroad Company, a corporation lawfully succeeding to the charter, rights, and privileges of the "Alexandria and Washington Railroad Company," be, and the same is hereby, authorized to extend said railroad from the track, as the same is now, or may hereafter be, laid through Maryland Avenue, at its intersection with Virginia Avenue, through and along said Virginia Avenue, in an easterly direction, to its intersection with D Street south; thence along D Street, and across the Washington canal, to New Jersey Avenue; thence by a curve to the left, of not less than one thousand feet radius, to a point in square number seven hundred and thirty-two; thence by an underground excavation or tunnel, passing under squares number seven hundred and thirty-two, seven hundred and sixty-two, seven hundred and sixty-one, seven hundred and sixty, seven hundred and eighty-seven, seven hun-

dred and eighty-six, eight hundred and sixteen, eight hundred and fifteen, eight hundred and thirty-nine, eight hundred and thirty-eight, eight hundred and sixty-six, eight hundred and sixty-five, eight hundred and sixty-four, and the different streets and avenues intervening, to a point in square number eight hundred and ninety-three; thence, by a curve of not less than one thousand feet radius, into Eighth Street east; thence by the most direct and eligible route, to an intersection with the Washington branch of the Baltimore and Ohio Railroad.

SEC. 2. *And be it further enacted*, That the provisions of sections three and four of the act to which this is an amendment shall be applicable to the extension of said road or tracks as hereby authorized, and that it shall be lawful for said company to construct a draw or other bridge across the Washington canal at its intersection with D Street south, of such plans and dimensions as may be approved by the corporation of Washington, and so as not to interfere with the navigation of said canal. And also to use steam power in the transportation of passengers and freight over said railroad and branches, subject, however, to such restrictions and regulations as may be imposed by the corporate authorities of the city of Washington in respect to such portions thereof as may be located in said city.

Provisions of certain sections of former act applicable to this extension.

Draw or other bridge across canal.

Steam power may be used.

SEC. 3. *And be it further enacted*, That the consent of Congress be, and the same is hereby, granted for a period of eighteen months from the passage of this act, to the Alexandria, Washington, and Georgetown Railroad Company, to use steam power in drawing the cars of said company on the structure across the Potomac River erected by said company, under the provisions of the act entitled "An act to extend the charter of the Alexandria and Washington Railroad Company, and for other purposes," approved March three, eighteen hundred and sixty-three, and along the railway now laid by said company, or which may be hereafter laid, under the provisions of the said act, along Maryland Avenue and First Street west, in the city of Washington, to the present depot of the Washington branch of the Baltimore and Ohio Railroad, subject always, and in all particulars, to such restrictions and regulations concerning the use of said steam power as the corporation of Washington may, by its ordinances, [at] any time impose upon the said railroad company: *Provided*, That said company shall not propel their engines at a greater rate of speed than five miles per hour within the corporate limits of Washington city.

Steam power may be used for eighteen months to draw cars on the structure across the Potomac River and in certain streets in Washington.

Limit to rate of speed.

SEC. 4. *And be it further enacted*, That the said railroad company shall be required to pay any and all damages that may result to private property from the extension of said road, and the tunnelling under the several lots and squares of ground as heretofore provided; and that in the event the owner or owners of such property and the said company cannot agree as to the amount of such damages, or the value of any private property so appropriated for the purpose of such extension of said road, such proceedings shall thereupon be had for the appropriation and assessment of the damages thereof as are authorized and required under the laws now in force in the District of Columbia regulating appropriations and assessment of damages for opening roads, streets, and alleys in said District. That upon the payment to the owner or owners of the amount of such award of damages, or the lawful tender thereof, together with the payment of all costs of such proceedings, the said company shall acquire the right to use and occupy for the purposes of said railroad all such lands so appropriated, in such a manner as may be necessary for the proper working and running said road.

Company to pay damages to private property from extension.

If owners and company cannot agree, amount of damages how to be determined.

Use, &c. of lands how acquired.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLI. — *An Act to authorize the Extension, Construction, and Use by the Baltimore and Ohio Railroad Company of a Railroad from between Knoxville and the Monocacy Junction into and within the District of Columbia.*

Preamble.

Whereas it is represented to this present Congress that the Baltimore and Ohio Railroad Company, incorporated by the State of Maryland, are desirous of extending the road authorized to be built by them, by an act of the general assembly of that State, entitled "An act to authorize the Baltimore and Ohio Railroad Company to build a railroad from a point on the line of its road between Knoxville and the Monocacy Junction, through Frederick and Montgomery counties, to the boundary of the District of Columbia, so as to make a direct communication with the city of Washington," into and within the District of Columbia: Therefore,

Baltimore and Ohio R. R. Co. may extend railroad into the District of Columbia.

Termini to be agreed upon with the cities of Washington and Georgetown.

Powers and privileges of the corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Ohio Railroad Company shall be, and they are hereby, authorized to extend into and within the District of Columbia the road aforesaid, to such point or points, terminus or termini, as may be agreed upon between the said company and the corporation of Washington, in respect of a road within the limits of Washington, and between the said company and the corporation of Georgetown, as respects a road within the limits of Georgetown. An[d] the said Baltimore and Ohio Railroad Company are hereby authorized to have and exercise the same powers, rights, and privileges, and shall be subject to the same restrictions, in the extension and construction of the said road, into and within the said District as they have, may exercise, or possess, or are subject to within the State of Maryland, under and by virtue of their charter or act of incorporation from the State of Maryland; and shall be entitled to the same franchises, rights, compensation, benefits, and immunities in the use of the said road as are provided in the said charter.

Provisions of acts of Congress relating to lateral road, made applicable to this corporation.

1831, ch. 85.
Vol. iv. p. 476.

SEC. 2. *And be it further enacted,* That all the provisions of the several acts of Congress relating to the lateral road authorized to be built into and within the District of Columbia by an act passed March second, eighteen hundred and thirty-one, and entitled "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Road into and within the District of Columbia," and the supplements thereto, be, and they are hereby, declared to apply to the Baltimore and Ohio Railroad Company so far as they are severally applicable to the location, construction, and use by the said company of the road now authorized to be constructed into and within the said District.

Extension to be commenced in one year, and completed in three years.

SEC. 3. *And be it further enacted,* That the said railroad company shall commence the construction of said extension of said road within one year, and complete the same within three years after the passage of this act; and on failure to do so, the privileges granted by this act shall be forfeited by said company.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLII. — *An Act to change the Port of Entry in Puget's Sound.*

Port Townsend made the port of entry and delivery in district of Puget's Sound.

Port Angelos abolished as a port of entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October, eighteen hundred and sixty-six, the port of Port Angelos, in the district of Puget's Sound, in Washington Territory, is hereby abolished as a port of entry, and that Port Townsend be, and is hereby, established as the port of entry and delivery for the said district, from and after said date.

APPROVED, July 25, 1866.

CHAP. CCLIII. — *An Act to grade East Capitol Street and establish Lincoln Square.* July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of public buildings be, and he hereby is, authorized and directed, in such manner as he may deem most proper, to cause East Capitol Street to be graded from Third Street east to Eleventh Street east, and to cause the square at the intersection of said street with Massachusetts, North Carolina, Tennessee, and Kentucky avenues, between Eleventh and Thirteenth streets east, to be enclosed with a wooden fence, and the same shall be known as Lincoln Square. And the sum of fifteen thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to enable the said improvement to be made.

East Capitol Street to be graded and Lincoln Square enclosed.

Appropriation.

APPROVED, July 25, 1866.

CHAP. CCLIV. — *An Act in Relation to the unlawful Tapping of Government Water Pipes.* July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unlawful tapping of any water pipe laid down in the District of Columbia by authority of the United States is hereby declared to be a misdemeanor and an indictable offence; and any person who may be indicted for and convicted of such offence in the criminal court of the District of Columbia shall be subject to such fine as the court may think proper to impose, not exceeding five hundred dollars, or to imprisonment for a term not exceeding one year. And it is hereby made the special duty of the commissioner of public buildings to bring to the notice of the attorney of the United States for the District of Columbia, or to the grand jury, any infraction of this law.

Unlawful tapping of government water pipes punishable by fine or imprisonment.

Commissioner of public buildings to prosecute.

APPROVED, July 25, 1866.

CHAP. CCLV. — *An Act to authorize the Entry and Clearance of Vessels at the Port of Calais, Maine.* July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, the Secretary of the Treasury may authorize, under such regulations as he shall deem necessary, the deputy collector of customs at the port of Calais, in the State of Maine, to enter and clear vessels, and to perform such other official acts as the said Secretary shall think advisable.

Deputy collector of customs at Calais, Me., may enter and clear vessels, &c.

APPROVED, July 25, 1866.

CHAP. CCLXII. — *An Act granting the Right of Way to Ditch and Canal Owners over the Public Lands, and for other Purposes.* July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the mineral lands of the public domain, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and occupation by all citizens of the United States, and those who have declared their intention to become citizens, subject to such regulations as may be prescribed by law, and subject also to the local customs or rules of miners in the several mining districts, so far as the same may not be in conflict with the laws of the United States.

Mineral lands declared open to occupation to all citizens, &c. subject to regulations, &c.

SEC. 2. *And be it further enacted,* That whenever any person or association of persons claim a vein or lode of quartz, or other rock in place, bearing gold, silver, cinnabar, or copper, having previously occupied and improved the same according to the local custom or rules of miners in the district where the same is situated, and having expended in actual labor and improvements thereon an amount of not less than one thousand dol-

Persons, &c. claiming, without opposition, any vein of quartz-bearing gold, &c. having occupied and made expenditures on the

same, and filing diagram, may enter the tract and receive a patent therefor.

Patent to grant what.

After filing diagram of tract claimed, what proceedings to be had before patent issues.

Notice to be published.

Survey of plat of premises.

Payment of five dollars per acre, and costs of survey, &c.

Survey, plat, &c. to cover only one vein, to be named in patent.

Proceedings when the location and entry of mine are upon unsurveyed lands.

Location not to exceed 200 feet along vein, with additional claim for discoverer, and right to follow vein to any depth, &c.

Limit to number and extent of locations.

Further condition of sale, and to be expressed in patent.

Where adverse claimants appear, proceedings stayed until right is settled.

Patent then to issue.

President may establish additional land districts, &c. for purposes of this act.

lars, and in regard to whose possession there is no controversy or opposing claim, it shall and may be lawful for said claimant or association of claimants to file in the local land office a diagram of the same, so extended laterally or otherwise as to conform to the local laws, customs, and rules of miners, and to enter such tract and receive a patent therefor, granting such mine, together with the right to follow such vein or lode with its dips, angles, and variations, to any depth, although it may enter the land adjoining, which land adjoining shall be sold subject to this condition.

SEC. 3. *And be it further enacted*, That upon the filing of the diagram as provided in the second section of this act, and posting the same in a conspicuous place on the claim, together with a notice of intention to apply for a patent, the register of the land office shall publish a notice of the same in a newspaper published nearest to the location of said claim, and shall also post such notice in his office for the period of ninety days; and after the expiration of said period, if no adverse claim shall have been filed, it shall be the duty of the surveyor-general, upon application of the party, to survey the premises and make a plat thereof, indorsed with his approval, designating the number and description of the location, the value of the labor and improvements, and the character of the vein exposed; and upon the payment to the proper officer of five dollars per acre, together with the cost of such survey, plat, and notice, and giving satisfactory evidence that said diagram and notice have been posted on the claim during said period of ninety days, the register of the land office shall transmit to the general land office said plat, survey, and description; and a patent shall issue for the same thereupon. But said plat, survey, or description shall in no case cover more than one vein or lode, and no patent shall issue for more than one vein or lode, which shall be expressed in the patent issued.

SEC. 4. *And be it further enacted*, That when such location and entry of a mine shall be upon unsurveyed lands, it shall and may be lawful, after the extension thereto of the public surveys, to adjust the surveys to the limits of the premises according to the location and possession and plat aforesaid, and the surveyor-general may, in extending the surveys, vary the same from a rectangular form to suit the circumstances of the country and the local rules, laws, and customs of miners: *Provided*, That no location hereafter made shall exceed two hundred feet in length along the vein for each locator, with an additional claim for discovery to the discoverer of the lode, with the right to follow such vein to any depth, with all its dips, variations, and angles, together with a reasonable quantity of surface for the convenient working of the same as fixed by local rules: *And provided further*, That no person may make more than one location on the same lode, and not more than three thousand feet shall be taken in any one claim by any association of persons.

SEC. 5. *And be it further enacted*, That as a further condition of sale, in the absence of necessary legislation by Congress, the local legislature of any State or Territory may provide rules for working mines involving easements, drainage, and other necessary means to their complete development; and those conditions shall be fully expressed in the patent.

SEC. 6. *And be it further enacted*, That whenever any adverse claimants to any mine located and claimed as aforesaid shall appear before the approval of the survey, as provided in the third section of this act, all proceedings shall be stayed until a final settlement and adjudication in the courts of competent jurisdiction of the rights of possession to such claim, when a patent may issue as in other cases.

SEC. 7. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to establish additional land districts and to appoint the necessary officers under existing laws, wherever he may deem the same necessary for the public convenience in executing the provisions of this act.

SEC. 8. *And be it further enacted*, That the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.

Right of way for highways.

SEC. 9. *And be it further enacted*, That whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes aforesaid is hereby acknowledged and confirmed: *Provided, however*, That whenever, after the passage of this act, any person or persons shall, in the construction of any ditch or canal, injure or damage the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

Owners of vested rights to use of water for mining, &c. to be protected, and right of way for canals and ditches granted.

Damages.

SEC. 10. *And be it further enacted*, That wherever, prior to the passage of this act, upon the lands heretofore designated as mineral lands, which have been excluded from survey and sale, there have been homesteads made by citizens of the United States, or persons who have declared their intention to become citizens, which homesteads have been made, improved, and used for agricultural purposes, and upon which there have been no valuable mines of gold, silver, cinnabar, or copper discovered, and which are properly agricultural lands, the said settlers or owners of such homesteads shall have a right of pre-emption thereto, and shall be entitled to purchase the same at the price of one dollar and twenty-five cents per acre, and in quantity not to exceed one hundred and sixty-acres; or said parties may avail themselves of the provisions of the act of Congress approved May twenty, eighteen hundred and sixty-two, entitled "An act to secure homesteads to actual settlers on the public domain," and acts amendatory thereof.

Owners of homesteads made upon lands designated as mineral, in which no valuable mines of gold, &c. have been found, &c. may pre-empt the same, &c.;

or may take them as homesteads.

1862, ch. 75. Vol xii. p. 392.

SEC. 11. *And be it further enacted*, That upon the survey of the lands aforesaid, the Secretary of the Interior may designate and set apart such portions of the said lands as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands of the United States, and subject to all the laws and regulations applicable to the same.

Upon survey, lands clearly agricultural may be set apart and made subject to pre-emption and sale.

APPROVED, July 26, 1866.

CHAP. CCLXIII. — *An Act to authorize "The Chesapeake Bay and Potomac River Tidewater Canal Company" to enter the District of Columbia, and extend their Canal to the Anacostia River at any Point above Benning's Bridge.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That "The Chesapeake Bay and Potomac River Tide-water Canal Company," incorporated by the general assembly of the State of Maryland, at the January session thereof, eighteen hundred and sixty-six, by an act entitled "An act to incorporate the Chesapeake Bay and Potomac River Tide-water Canal Company," be, and the same are hereby, authorized to extend their canal from the point where it strikes the boundary line of the District of Columbia, thence in and through the said District to the Anacostia River at any point thereon above Benning's bridge.

The Chesapeake Bay, &c. Canal Company may extend its canal to Anacostia River;

SEC. 2. *And be it further enacted*, That the said company are hereby authorized and empowered to take, purchase, and hold, for the purpose[s] of this act, so much real estate and other property as shall be necessarily required for the proper construction of the extension aforesaid, and for the construction of all proper and convenient basins, locks, reservoirs, docks, and wharves, to be connected with said extension. And where the said company shall not be able to procure such real estate by purchase

may take and hold property necessary for proper construction of extension, &c.

Proceedings where land can-

not be purchased, or the owner is under disability.

Commission of inquest of damages.

Report to be made.

Notice.

Report to be confirmed.

Inquest may be set aside.

New commission and inquisition from time to time.

Property taken to be described, and valuation paid.

Company to pay expenses of inquisition.

Tolls and rents.

Canal extension to be a public highway.

Public property of the United States to go through free of tolls.

Company when required to give Congress an account of receipts and expenditures, &c.

from the owner thereof, or the owner thereof shall be a femme covert, infant, non compos mentis, imprisoned, or resident beyond the District of Columbia, then application may be made by the president of said company to the chief justice of the supreme court of the District of Columbia, for the appointment of three persons, who shall be freeholders in said District, as a commission of inquest of damages, and who shall go upon and inspect any property proposed to be taken by said company for the purposes contemplated by this act; and before any person so appointed as such commissioner shall proceed to act, he shall take an oath or affirmation that he will fairly and truly value the damages sustained by the owner or owners of any property by the use and occupation of any such real estate, water rights, or other property, by said company; and said commission shall reduce their inquisition or finding to writing, and sign and seal the same, and it shall then be returned to the said chief justice, who shall file the same in the office of the register of deeds of the city of Washington. But no such inquisition shall be had until after ten days' notice thereof has been served on the owner of the real estate so to be taken, when he resides in the District of Columbia, or by publication of notice in one or more of the daily newspapers published in the city of Washington, for twenty days where such owner resides beyond said District. When the owner is a femme covert, the notice shall be to her and her husband; when he is a minor, to his guardian; and when he is non compos mentis, to his committee, or the person having charge of his estate. The said report shall be confirmed by the supreme court of the District of Columbia at its next term after the return of said report, unless for cause shown to the contrary. And where good cause is thus shown, the said chief justice shall set aside said inquest, and appoint another similar commission, who shall qualify in the same manner, and whose inquisition shall be taken, returned, filed, and confirmed, or set aside for good cause shown, in the same manner as the first inquisition was taken, returned, filed, and confirmed, or set aside. And such commission and inquisition shall be renewed as often as may be necessary, until the inquisition made shall be confirmed. Such inquisition shall describe the property taken by metes and bounds, and the valuation thereof shall be paid or tendered within ten days after the confirmation of such inquisition by said district court; and when such valuation or damages are so paid or tendered, said company shall have a full and perfect right to enter upon, use, occupy, and enjoy any property so valued during its corporate existence, and all expenses incurred by such inquisition shall be paid by said company.

SEC. 3. *And be it further enacted*, That it shall be lawful for said company to levy, demand, and receive such even tolls and rents for the use of the wharves and docks of said company on said extension, or for freight transported by said company, or for the passage through said extension of boats, rafts, or any other water craft, as a majority of the directors at any regular meeting shall assess therefor: *Provided*, That the Congress of the United States shall at all times have power to increase or reduce such tolls or rents.

SEC. 4. *And be it further enacted*, That the said canal extension, when completed, shall forever thereafter be esteemed and taken to be a public highway for the transportation of all goods, commodities, or produce of every kind and description, and for all canal boats, rafts, or other water crafts of every kind whatever, upon the payment of such tolls or rents as are authorized to be imposed by this act.

SEC. 5. *And be it further enacted*, That the said company shall permit all public property belonging to the United States to pass through said canal extension free of all charge or toll; and the said company shall, from time to time, as may be required, lay before Congress a just and true account of their receipts and expenditures on said extension, with a statement of the clear profits thereof.

SEC. 6. *And be it further enacted*, That, subject to the aforesaid provisions of this act, all and singular the provisions of the aforesaid act of the general assembly of the State of Maryland, entitled "An act to incorporate the Chesapeake Bay and Potomac River Tide-water Canal Company," relating to the powers, liabilities, and authority of said company, in operating and using their canal, shall take effect and apply to the extension aforesaid in the District of Columbia.

Provisions of charter to apply to extension, subject, &c.

SEC. 7. *And be it further enacted*, That this act shall be deemed a public act, and shall take effect and be in force from and after its passage, and shall be subject to alteration or repeal by Congress.

Act to be a public act, and when to take effect.

APPROVED, July 26, 1866.

CHAP. CCLXIV. — *An Act authorizing the Secretary of the Treasury to issue Certificates of Registry, or Enrolment and License, to certain Vessels.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to issue certificates of registry, or enrolment and license, to the steamer "Diana," of Victoria, Vancouver Island; the schooners "M. C. Rowe," of Gloucester, Massachusetts; "Mary," of Dexter, New York; "Jessee Conger," of Oswego, New York; "N. C. Ford," of Buffalo, New York; "Sweet Home," of Rochester, New York; "Alma," of Sodus, New York; "Marco Polo," of Erie, Pennsylvania; brig "Three Bells," of Rochester, New York; barque "J. S. Austin," of Buffalo, New York; and the sloop "Dolphin," of Alexandria Bay, New York: *Provided*, That there shall be paid on each of such vessels that are foreign built a tax equal to the internal revenue tax upon the materials and construction of similar vessels of American build.

Certificate of registry, or enrolment and license, may issue to the Diana; M. C. Rowe; Mary; Jessee Conger; N. C. Ford; Sweet Home; Alma; Marco Polo; Three Bells; J. S. Austin; Dolphin.

APPROVED, July 26, 1866.

CHAP. CCLXV. — *An Act to authorize the Issue of certain Bonds in Denominations greater than One Thousand Dollars.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the bonds of the United States authorized by the act of July first, eighteen hundred and sixty-two, "To aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean," and by all acts amendatory thereof, may be issued in denominations greater than one thousand dollars, at the discretion of the Secretary of the Treasury: *Provided, however*, That it shall at all times be optional with any railroad company whether they will receive bonds of a larger denomination than one thousand dollars.

Bonds issued in favor of certain railroad companies may be of larger denominations than \$1000. Proviso. 1862, ch. 120. Vol. xii. p. 489. 1864, ch. 216. Vol. xiii. p. 356. 1865, ch. 88. Vol. xiii. p. 504.

APPROVED, July 26, 1866.

CHAP. CCLXVI. — *An Act making Appropriations for the Current and Contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes for the Year ending thirtieth June, eighteen hundred and sixty-seven, and for other Purposes.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian department and fulfilling treaty stipulations with the various Indian tribes —

Appropriations for expenses of the Indian department and treaty stipulations.

For the current and contingent expenses of the Indian department, namely:

For the pay of superintendents of Indian affairs and of Indian agents, one hundred and ten thousand and fifty dollars.

Superintendents, agents, sub-agents, clerks, &c.

For pay of sub-agents, six thousand dollars.

For pay of clerk to superintendent at Saint Louis, Missouri, one thousand two hundred dollars.

For pay of temporary clerks by superintendents of Indian affairs, five thousand dollars.

For pay of clerk to superintendent of Indian affairs in California, one thousand eight hundred dollars.

Interpreters,
presents, provi-
sions.

For pay of interpreters, twenty-eight thousand four hundred dollars.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

Buildings and
repairs.
Contingencies.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian department, thirty-six thousand five hundred dollars.

Treaty stipu-
lations.

For fulfilling treaty stipulations with the various Indian tribes:

Chasta, Sco-
ton, and Ump-
quas.

Vol. x. p. 1122.

Chasta, Scoton, and Umpqua Indians. — For twelfth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

For twelfth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For twelfth of fifteen instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For twelfth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
Lake Superior.
Vol. vii. p. 592.
Vol. x. p. 1109.

Chippewas of Lake Superior. — For two thirds of last of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of last of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two thirds of last of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two thirds of last of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of last of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two thirds of last of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For twelfth of twenty instalments in coin, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, five thousand dollars.

For twelfth of twenty instalments in goods, household furniture, and cooking utensils, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand dollars.

For twelfth of twenty instalments for agricultural implements, and cattle, carpenters' and other tools, and building materials, per fourth article

treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars. Chippewas of Lake Superior.

For twelfth of twenty instalments for moral and educational purposes, three hundred dollars of which to be paid to the Grand Portage band yearly, to enable them to maintain a school at their village, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand dollars.

For twelfth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For twelfth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For tenth of twenty instalments for the seventh smith and assistant, and support of shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

For gratuities for the purpose of quieting the claim of the Lac de Flambeau band of Chippewas, for an interest in the lands ceded to the United States by the Bois Forte band of Chippewa Indians, three thousand dollars.

Chippewas of the Mississippi. — For one third of last of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents. Chippewas of the Mississippi.
Vol. vii. p. 592.
Vol. x. p. 1109.

For one third of last of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one third of last of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one third of last of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of last of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

For twelfth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnebagoish Bands. — For twelfth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

Chippewas,
Pillager, and
Lake Winneba-
goshish bands.
Vol. x. p. 1165.

For twelfth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For twelfth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For twelfth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For twelfth of fifteen instalments for support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw mill at Leech Lake, per third article of treaty of twenty-second February eighteen hundred and fifty-five, six hundred dollars.

Chippewas of
Saginaw, Swan
Creek, and Black
River.
Vol. xi. p. 634.

Chippewas of Saginaw, Swan Creek, and Black River. — For first of two equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of August second, eighteen hundred and fifty-five, eighteen thousand eight hundred dollars.

Chippewas,
Menomones,
Winnebagoes,
and New York
Indians.

Chippewa, Menomones, Winnebagoes, and New York Indians. — For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Vol. vii. p. 304.

Chickasaws.

1799, ch. 11.

Vol. i. p. 618.

Choctaws.

Vol. vii. p. 99.

Vol. xi. p. 614.

Vol. vii. p. 213.

Chickasaws. — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum per annum, for education, support of the government, and other beneficial purposes, under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Choctaws and Chickasaws. — For this amount, or so much thereof as may become due to the Choctaws and Chickasaws under the third and forty-sixth articles of the treaty of April twenty-eighth, eighteen hundred and sixty-six, for interest at the rate of five per centum, upon the amount paid for certain lands ceded by them to the United States, fifteen thousand dollars.

Choctaws and
Chickasaws.

For this amount, or so much thereof as may be necessary to enable the Secretary of the Interior to cause a census of each tribe to be taken, as per first clause, eighth article, treaty of April twenty-eight, eighteen hundred and sixty-six, one thousand five hundred dollars.

For this amount to be advanced the Choctaws for the cession of the leased district, and the admission of the Kansas Indians, as per forty-sixth article treaty of April twenty-eight, eighteen hundred and sixty-six, one hundred and fifty thousand dollars.

For this amount to be advanced the Chickasaws for the cession of the leased district, and the admission of the Kansas Indians, as per forty-sixth article treaty of April twenty-eight, eighteen hundred and sixty-six, fifty thousand dollars.

For pay of commissioners to be appointed by the President, as per forty-ninth and fiftieth articles treaty of April twenty-eight, eighteen hundred and sixty-six, and Senate amendment thereto, or so much thereof as may be necessary, four thousand three hundred and twenty dollars.

Camanches, Kiowas, and Apaches, of Arkansas River. — For the third of five instalments, being the second series for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

Camanches,
Kiowas, and
Apaches of Ar-
kansas River.
Vol. x. p. 1014.

For expenses of transportation of the second of five instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

Creeks.
Vol. vii. p. 36.
Vol. xi. p. 700.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. vii. p. 69.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

Vol. vii. p. 287.

For permanent annuity for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent annuity for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent annuity for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant, and shop and tools, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

Vol. vii. p. 419.

For iron and steel for shop during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

Creeks.

For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For five per centum interest on two hundred thousand dollars, for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares.
Vol. vii. pp.
188, 327.

Delawares. — For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine, for education, per senate resolution of January nineteenth, eighteen hundred and thirty-eight, and fifth article treaty May sixth, eighteen hundred and fifty-six [four], two thousand three hundred and four dollars.

Vol. x. p. 1048.

Iowas.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first of July, eighteen hundred and sixty-six, at five per centum per annum, for education or other beneficial purposes, under the direction of the President, per second article treaty October nineteenth, eighteen hundred and thirty-eight, and ninth article treaty May seventeenth, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Kansas.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum per annum, per second article treaty January fourteenth, eighteen hundred and forty-six, ten thousand dollars.

Kickapoos.

Kickapoos. — For thirteenth instalment of interest, at five per centum, on one hundred thousand dollars, for educational and other beneficial purposes, per second article treaty May eighteenth, eighteen hundred and fifty-four, five thousand dollars.

Vol. x. p. 1078.

For thirteenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-seven, per second article treaty eighteenth May, eighteen hundred and fifty-four, seven thousand dollars.

Menomonees.

Menomonees. — For eleventh of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

Vol. ix. p. 952.

Vol. x. p. 1065.

For first of fifteen instalments of annuity upon two hundred and forty-two thousand six hundred and eighty-six dollars for cession of lands per third article treaty May twelfth, eighteen hundred and fifty-four, and senate amendment thereto, sixteen thousand one hundred and seventy-nine dollars and six cents.

For eleventh of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of
Kansas.
Vol. vii. p. 191.
Vol. x. p. 1095.

Miamies of Kansas. — For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty June fifth, eighteen hundred and fifty-four, nine hundred and forty dollars.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars.

Vol. vii. p. 191.

Vol. vii. p. 459.

Vol. x. p. 1095.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For seventh of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

Miamies of Indiana. — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.

Miamies of Indiana.

Vol. x. p. 1095.

Miamies — Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

Miamies, Eel River.

Vol. vii. p. 51.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

Vol. vii. p. 91.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Vol. vii. p. 114.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For twelfth instalment, in part payment for relinquishment of title lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, twelve hundred dollars.

Nisqually, Puyallup, and other bands of Indians.

Vol. x. p. 1134.

For twelfth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant, if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas. — For the ninth of ten instalments of this amount, being second of series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

Omahas.

Vol. x. p. 1044.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Osages.

For interest on three hundred thousand dollars at five per centum per annum, to be paid semi-annually in money or such articles as the Secretary of the Interior may direct, as per first article treaty of September twenty-nine, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, fifteen thousand dollars.

For transportation of goods, provisions, and so forth, purchased by the Great and Little Osage Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, three thousand five hundred dollars.

Ottos and Missourias. — For ninth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

Ottos and Missourias.

Vol. x. p. 1039.

Ottawas and Chippewas of Michigan. — For interest on two hundred and six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand three hundred dollars.

Ottawas and Chippewas of Michigan.

Vol. xi. p. 623.

Pawnees.

Vol. xi. p. 729.

Pawnees. — For fourth of five instalments of the second series in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, thirty thousand dollars.

For support of two manual-labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessities for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tin-smith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article of treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For ninth of ten instalments for farming utensils and stock, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For eighth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For eighth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For grist and saw mill, and keeping the same in repair, per fourth article treaty September twenty-fourth, eighteen hundred and fifty-seven, three hundred dollars.

Pottawatomies
of Huron.

Vol. vii. p. 105.

Pottawatomies of Huron. — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Pottawatomies.

Vol. vii. p. 51.

Pottawatomies. — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 185.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379.

For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432.

For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

Vol. vii. p. 296.

For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty

Vol. vii. p. 317.

twentieth September, eighteen hundred and twenty-eight, and fourth

Vol. vii. p. 379.

article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars. Pottawatomes.
Vol. ix. p. 855.

For permanent provisions for three blacksmiths and assistants, and permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For iron and steel, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, four hundred and thirty-seven dollars and fifty cents.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Quapaws. — For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars. Quapaws.
Vol. vii. p. 425.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers. — For thirteenth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars. Rogue Rivers.
Vol. x. p. 1018.

Sacs and Foxes of Mississippi. — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars. Sacs and Foxes
of Mississippi.
Vol. vii. p. 85.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars. Vol. vii. p. 540.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars. Vol. vii. p. 596.

Sacs and Foxes of Missouri. — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars. Sacs and
Foxes of Missou-
ri.
Vol. vii. p. 540.

Seminoles. — For the last of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars. Seminoles.
Vol. xi. p. 702.

For the last of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the last of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per

eight article treaty seventh August eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas.
Vol. vii. p. 161.

Senecas. — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.

For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of
New York.
1831, ch. 26.
Vol. iv. p. 442.
1846, ch. 34.
Vol. ix. p. 35.

Senecas of New York. — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.

For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and
Shawnees.
Vol. vii. p. 179.

Senecas and Shawnees. — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

Vol. vii. p. 352. For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

Shawnees.

Vol. vii. p. 51.
Vol. x. p. 1066.

Shawnees. — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For thirteenth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

Vol. vii. p. 161.

For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

Six Nations of
New York.
Vol. vii. p. 46.

Six Nations of New York. — For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

Umpquas (Cow
Creek Band).
Vol. x. p. 1027.

Umpquas (Cow Creek Band). — For thirteenth of twenty instalments in blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.

Umpquas and
Calapooias, of
Umpqua Valley,
Oregon.
Vol. x. p. 1126.

Umpquas and Calapooias, of Umpqua Valley, Oregon. — For second of five instalments, of the third series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand seven hundred dollars.

Vol. x. p. 1127.

For twelfth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For twelfth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth No-

vember, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Winnebagos. — For interest on one million dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty thousand dollars. Winnebagos.
Vol. vii. p. 545.

For twentieth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars. Vol. ix. p. 878.

For the erection of a saw-mill, with grist-mill attached, on their new reservation, as per third article treaty of March eighth, eighteen hundred and sixty-five, ten thousand dollars. Post, Treaties,
p. 17.

For expense of breaking and fencing one hundred acres of land for each band of said Indians, as per third article treaty of March eighth, eighteen hundred and sixty-five, nine thousand and eighty-seven dollars and sixty cents.

For expense of sowing and planting one hundred acres of land for each band of said Indians, and furnishing seed for the same, as per third article treaty of March eighth, eighteen hundred and sixty-five, five thousand seven hundred and fifty dollars.

For the purchase of guns for said Indians, as per third article treaty of March eighth, eighteen hundred and sixty-five, two thousand dollars.

For the purchase of four hundred horses, one hundred cows, twenty yoke of oxen, twenty wagons, and forty chains, as per third article treaty of March eighth, eighteen hundred and sixty-five, and Senate amendment thereto of February thirteenth, eighteen hundred and sixty-six, sixty thousand three hundred dollars.

For the purchase of agricultural implements, as per third article treaty of March eighth, eighteen hundred and sixty-five, five hundred dollars.

For the erection of an agency building, schoolhouse, warehouse, and suitable buildings for the physician, carpenter, interpreter, miller, engineer, and blacksmith, on the new reservation of said Indians, as per fourth article treaty of March eighth, eighteen hundred and sixty-five, twenty-one thousand dollars.

For erection of a house for each chief of the said tribes, as per fourth article treaty of March eighth, eighteen hundred and sixty-five, twenty-two thousand five hundred dollars.

For expenses of the removal of the property of said Indians to their new homes, as per fifth article treaty of March eighth, eighteen hundred and sixty-five, three hundred dollars.

For subsistence of the Winnebagos for one year after their arrival at their new homes, as per fifth article treaty of March eighth, eighteen hundred and sixty-five, ninety-six thousand dollars.

Winnebago and Pottawatomie Indians of Wisconsin. — To enable the Secretary of the Interior to take charge of certain stray bands of Winnebago and Pottawatomie Indians in the State of Wisconsin, five thousand dollars. Winnebago
and Pottawato-
mie Indians of
Wisconsin.

Yancton Tribe of Sioux. — For eighth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservations, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars. Yancton Sioux.

Vol. xi. p. 744.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For second of five instalments of the second series of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, six thousand five hundred dollars. Calapooias,
Molallas, &c. of
Willamette Val-
ley.
Vol. x. p. 1144.

Poncas. — For the third of ten instalments of the second series, to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their Poncas.

Poncas.

future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, ten thousand dollars.

Vol. xii. p. 997.

For eighth of ten instalments for the establishment and maintenance of one or more manual-labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For eighth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

D'Wamish,
&c. in Washing-
ton Territory.
Vol. xii. p. 927.

D'Wamish and other allied Tribes in Washington Territory. — For seventh instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, seven thousand five hundred dollars.

For seventh of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For seventh of twenty instalments for the establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah tribe.

Vol. xii. p. 940.

Makah tribe. — For first of four instalments of thirty thousand dollars, (being the fourth series,) under the direction of the President, per fifth article treaty January thirty-first, eighteen hundred and fifty-five, one thousand five hundred dollars.

For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For seventh of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Walla-Walla,
Cayuse, and
Umatilla tribes.
Vol. xii. p. 947.

Walla-Walla, Cayuse, and Umatilla Tribes. — For second of five instalments of second series, to be expended under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, six thousand dollars.

For seventh of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines and hospital stores, books and stationery for schools, and furniture for the employés, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For seventh of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For seventh of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For seventh of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Yakama Nation. — For second of five instalments, of second series, for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

Yakama nation.
Vol. xii. p. 953.

For seventh of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school, keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

or seventh of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For seventh of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair the buildings required for the various employés, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for the salary of such person as the said confederated tribes and band of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Perce Indians. — For second of five instalments of second series for beneficial objects, at discretion of the President, per fourth article treaty June eleventh, eighteen hundred and fifty-five, eight thousand dollars.

Nez Perce Indians.
Vol. xii. p. 958.

For seventh of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school, keeping in repair school building, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For seventh of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of one superin-

Nez Perce
Indians.
Vol. xii. p. 958.

tendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair saw and flouring mill, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair the buildings for the various employés, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For first of four instalments to enable the Indians to remove and locate upon the reservation, to be expended in ploughing land and fencing lots, as per first clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seventy thousand dollars.

For the purchase of agricultural implements, including wagons and carts, harness, cattle, and sheep, or other stock, as may be deemed most beneficial, as per second clause fourth article treaty of June ninth, eighteen hundred and sixty-three, fifty thousand dollars.

For the erection of a saw and flouring mill, to be located at Kamia, as per third clause fourth article treaty of June ninth, eighteen hundred and sixty-three, ten thousand dollars.

For first of the sixteen instalments for boarding and clothing the children who shall attend the schools, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, and so forth, and for fencing of such lands as may be needed for gardening and farming purposes for the schools, as per fourth clause fourth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, six thousand dollars.

For building two churches, as per fifth clause fourth article treaty of June nine, eighteen hundred and sixty-three, two thousand five hundred dollars.

For salary of two subordinate chiefs, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand dollars.

For the erection of buildings for the subordinate chiefs, and to plough and fence the land for said chiefs, as well as to procure the necessary furniture, and to complete and furnish the house, and so forth, of the head chief, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, two thousand five hundred dollars.

For the erection of two school-houses, including boarding-houses, and the necessary out-buildings, as per first clause fifth article treaty of June ninth, eighteen hundred and sixty-three, ten thousand dollars.

For the erection of a hospital and providing the necessary furniture, as per second clause fifth article treaty of June ninth, eighteen hundred and sixty-three, twelve hundred dollars.

For the erection of a blacksmith shop, to be located at Kamia, to aid in the completion of the smith's shop at the agency, and to purchase the necessary tools, iron, steel, and so forth, as per third clause fifth article treaty of June ninth, eighteen hundred and sixty-three, two thousand dollars.

For the erection of houses for employés, repairs of mills, shops, and so forth, and providing necessary furniture, tools, and materials, as per fourth clause fifth article treaty June ninth, eighteen hundred and sixty-three, three thousand dollars.

For salary of two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers, as per fifth article treaty of June ninth, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand six hundred dollars.

For the erection of a house for Indian chief Timothy, as per sixth article treaty of June ninth, eighteen hundred and sixty-three, six hundred dollars.

To pay the claims of certain members of the Nez Perce tribe for services rendered and for horses furnished by them to the Oregon mounted volunteers on the sixth of March, eighteen hundred and fifty-six, at Camp Cornelius, as per seventh article treaty of June ninth, eighteen hundred and sixty-three (to be paid in gold), four thousand six hundred and sixty-five dollars.

Flatheads and other Confederate Tribes. — For the third of five instalments on one hundred and twenty thousand dollars, being the second series, for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, five thousand dollars.

Nez Perce
Indians.
Vol. xii. p. 958.

Flatheads and
other confeder-
ated tribes.
Vol. xii. p. 976.

For seventh of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For seventh of twenty instalments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For seventh of twenty instalments for keeping in repair the buildings required for the various employés, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For seventh of twenty instalments for the pay of each of the head

chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Middle Ore-
gons.
Vol. xii. p. 964.

Confederated Tribes and Bands of Indians in Middle Oregon. — For second of five instalments, second series, of six thousand dollars, for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, six thousand dollars.

For seventh of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For seventh of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school-teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For seventh of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Molels.
Vol. xii. p. 981.

Molel Indians. — For seventh of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employés, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

For seventh of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual-labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

Qui-nai-elts
and Qui-leh-
utes.
Vol. xii. p. 972.

Qui-nai-elt and Qui-leh-ute Indians. — For the first of four instalments on twenty-five thousand dollars (being the fourth series) for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, one thousand dollars.

For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For seventh of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicine for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

S'Klallams.
Vol. xii. p. 934.

S'Klallams. — For first of four instalments on sixty thousand dollars (being the fourth series), under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, three thousand dollars.

For seventh of twenty instalments for the support of an agricultural and industrial school, and for pay for suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For seventh of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Ottawa Indians of Blanchard's Fork and Roche de Bœuf. — For the

last of four instalments, in money, per fourth article treaty twenty-fourth June, eighteen hundred and sixty-two, eight thousand five hundred dollars.

Ottawas of
Blanchard's
Fork and Roche
de Bœuf.
Vol. xii. p. 1238.

For interest on eight thousand five hundred dollars, at five per centum, being the unpaid principal of thirty-four thousand dollars, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, four hundred and twenty-five dollars.

For the last of four instalments of the principal sum held in stocks by the government, to be paid as annuity in eighteen hundred and sixty-seven, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, two thousand eight hundred and forty-nine dollars and eighty-seven cents.

Arapahoes and Cheyenne Indians of the Upper Arkansas River. — For sixth of fifteen instalments of annuity of thirty thousand dollars, to be expended for their benefit, — that is to say, fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, — per fourth article treaty February eighteenth, eighteen hundred and sixty-one, thirty thousand dollars.

Arapahoes and
Cheyennes of the
Upper Arkansas.
Vol. xii. p. 1165.

For fourth of five instalments to provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanic shops, with necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for mill (if one be necessary), farmers, and the mechanics that may be employed for their benefit, per fifth article treaty February eighteenth, eighteen hundred and sixty-one, five thousand dollars.

For transportation and necessary expenses of delivery of annuities, goods, and provisions, per fifth article treaty February eighteenth, eighteen hundred and sixty-one, five thousand dollars.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, per seventh article treaty September thirtieth, eighteen hundred and fifty-four, five thousand seven hundred and sixty-two dollars and sixty-three cents.

Delivery of an-
nuities, &c. to
Chippewas of
Lake Superior;
Vol. x. p. 1111.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, per fifth article treaty February twenty-second, eighteen hundred and fifty-five, three thousand eight hundred and eighty-six dollars and seventy-five cents.

to Chippewas
of the Missis-
sippi.
Vol. x. p. 1169.

Chippewas of Red Lake, and Pembina Tribe of Chippewas. — For annuity to be paid per capita to the Red Lake band of Chippewas, during the pleasure of the President, per third article treaty second October, eighteen hundred and sixty-three, and second article supplementary to treaty twelfth April, eighteen hundred and sixty-four, ten thousand dollars.

Chippewas of
Red Lake and
Pembina tribe.
Vol. xiii. p. 668.
Vol. xiii. p. 689.

For this amount to the Pembina band of Chippewas, during the pleasure of the President, per third article treaty October second, eighteen hundred and sixty-three, and second article supplementary treaty April twelve, eighteen hundred and sixty-four, five thousand dollars.

For the third of fifteen instalments to be expended annually for the purpose of supplying them with gilling twine, cotton matter, calico, linsey, blankets, sheeting, flannels, provisions, farming tools, and for such other useful articles, and for such other useful purposes as may be deemed for their best interests, per third article supplementary treaty of twelfth April, eighteen hundred and sixty-four, eight thousand dollars.

For the third of fifteen instalments for same objects for the Pembina band of Chippewas, per third article supplementary treaty twelfth April, eighteen hundred and sixty-four, four thousand dollars.

For third of fifteen instalments for pay of one blacksmith, one physician, who shall furnish medicine for the sick, one miller, and one farmer, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four, three thousand nine hundred dollars.

Chippewas
of Red Lake and
Pembina tribe.
Vol. xiii. p. 689.

For third of fifteen instalments for the purchase of iron and steel, and other articles for blacksmithing purposes, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four, one thousand five hundred dollars.

For third of fifteen instalments, to be expended for carpentering and other purposes, per fourth article supplementary treaty April twelfth, eighteen hundred and sixty-four, one thousand dollars.

For third of fifteen instalments, to defray the expenses of a board of visitors, to consist of not more than three persons, to attend upon the annuity payments of the said Chippewa Indians, whose salary shall not exceed five dollars per day, nor more than twenty days, and ten cents per mile for travelling expenses, and not to exceed three hundred miles, per sixth article treaty October second, eighteen hundred and sixty-three, three hundred and ninety dollars.

For insurance and transportation of annuity goods and provisions, and material for building mill, including machinery, iron and steel for blacksmiths, for the Chippewas of Red Lake and Pembina tribe, ten thousand dollars.

Western Shoshonees.

Western Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per seventh article treaty October first, eighteen hundred and sixty-three, five thousand dollars.

Eastern Shoshonees.

Eastern Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per fifth article treaty July second, eighteen hundred and sixty-three, ten thousand dollars.

Northwestern Shoshonees.
Vol. xiii. p. 663.

Northwestern Bands of Shoshonees. — For third of twenty instalments, to be expended under the direction of the President, in the purchase of such articles as he may deem suitable to their wants, either as hunters or herdsmen, per third article treaty July thirtieth, eighteen hundred and sixty-three, five thousand dollars.

Goship bands
of Shoshonees.

Goship Bands of Shoshonees. — For third of twenty instalments to be expended under the direction of the President, in the purchase of such articles, including cattle for herding, or other purposes, as he shall deem suitable for their wants and condition, either as hunters or herdsmen, per seventh article treaty October second [twelfth], eighteen hundred and sixty-three, one thousand dollars.

Vol. xiii. p. 682.

Creek Nation. — For interest on two hundred thousand dollars, at five per centum per annum, as permanent annuity to be paid them in money, or for such mechanical labor or useful articles as the Secretary of the Interior may from time to time direct, per third article treaty September third, eighteen hundred and sixty-three, as amended by Senate, ten thousand dollars.

For payment of third of five instalments, to be expended for their benefit in the purchase of stock, horses, sheep, clothing, and such other articles as the Secretary of the Interior, with the council of said nation, may direct, per fourth article treaty September third, eighteen hundred and sixty-three, as amended by Senate, forty thousand dollars.

Tabogauche
band of Utahs.
Vol. xiii. p. 675.

Tabogauche Band of Utah Indians. — For the third of ten instalments for the purchase of goods, under the direction of the Secretary of the Interior, per eighth article treaty of October seventh, eighteen hundred and sixty-three, and Senate amendment of March twenty-fifth, eighteen hundred and sixty-four, ten thousand dollars.

For the third of five instalments, to be applied for the purposes of agriculture, and for the purchase of farming utensils and stock animals, per tenth article treaty October second, eighteen hundred and sixty-three, and Senate amendment thereto, ten thousand dollars.

For the third of ten instalments for the purchase of provisions, under the direction of the Secretary of the Interior, per eighth article treaty October seventh, eighteen hundred and sixty-three, and Senate amendment thereto, ten thousand dollars.

For insurance, transportation, and general incidental expenses of the delivery of goods, provisions, and stock, five thousand dollars.

Chippewas of the Mississippi, Pillagers, and Lake Winnebagoish Bands of Chippewa Indians in Minnesota. — For third of ten instalments to furnish said Indians with ten yoke of good work oxen, twenty log-chains, two hundred grubbing hoes, ten ploughs, ten grindstones, one hundred axes, handled, twenty spades, and other farming implements, per fifth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand five hundred dollars.

Chippewas of the Mississippi, and Pillagers, and Lake Winnebagoish Chippewas of Minnesota. Vol. xiii. p. 694.

For the employment of two carpenters, one thousand eight hundred dollars, and two blacksmiths, one thousand eight hundred dollars; four farm laborers, two thousand four hundred dollars; one physician, one thousand two hundred dollars, and medicine for the sick, five hundred dollars, per fifth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand seven hundred dollars.

For this amount to be applied towards the support of a saw-mill to be built for the common use of the Chippewas of Mississippi and the Red Lake and Pembina bands of Chippewas, so long as the President may deem it necessary, per sixth article treaty May seventh, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand dollars.

For pay of services and travelling expenses of a board of visitors, to consist of not more than five persons, to attend the annuity payments to the Indians, and so forth, and to inspect the fields, buildings, mills, and other improvements, as stipulated in the seventh article treaty May seventh, eighteen hundred and sixty-four, not exceeding any one year more than twenty days' service, at five dollars per pay, or more than three hundred miles' travel, at ten cents per mile, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six hundred and fifty dollars.

For the payment of female teachers employed on the reservations to instruct Indian girls in domestic economy, per thirteenth article treaty May seventh, eighteen hundred and sixty-four, one thousand dollars.

Minneconjon Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October tenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand dollars.

Minneconjon Dakota or Sioux. Post, Treaties, p. 26.

Lower Brule Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six thousand dollars.

Lower Brule Dakota or Sioux. Post, Treaties, p. 30.

Blackfeet Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, seven thousand dollars.

Blackfeet Dakota or Sioux. Post, Treaties, p. 48.

Two Kettles' Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October nineteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six thousand dollars.

Two Kettles' Dakota or Sioux. Post, Treaties, p. 44.

For this sum, to be paid the widow and children of Ish-tah-chan-ne-ah, under the direction of the Secretary of the Interior, as per sixth article of treaty of October nineteenth, eighteen hundred and sixty-five, five hundred dollars.

For this sum, being for indemnity, to be paid under the direction of the Secretary of the Interior, as per sixth article of the treaty of October nineteenth, eighteen hundred and sixty-five, five hundred dollars.

Onk-pah-pah
Dakota or Sioux.
Post, Treaties,
p. 59.

Onk-pah-pah Band of Dakota or Sioux. — For first of twenty instalments, being thirty dollars for each lodge or family, (three hundred lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, nine thousand dollars.

Sans Arcs
Dakota or Sioux.
Post, Treaties,
p. 52.

Sans Arcs Band of Dakota or Sioux. — For first of twenty instalments, being thirty dollars to each lodge or family, (two hundred and eighty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight thousand four hundred dollars.

Yanktonai
Dakota or Sioux.
Post, Treaties,
p. 55.

Yanktonai Band of Dakota or Sioux. — For first of twenty instalments, being thirty dollars for each lodge of [or] family, (three hundred and fifty lodges,) to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twentieth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand five hundred dollars.

Upper Yank-
tonais Dakota or
Sioux.
Post, Treaties,
p. 64.

Upper Yanktonais Band of Dakota or Sioux. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand dollars.

O'Gallala
Dakota or Sioux.
Post, Treaties,
p. 68.

O'Gallala Band of Dakota or Sioux Indians. — For first of twenty instalments, to be paid in such articles as the Secretary of the Interior may direct, as per fourth article of treaty of October twenty-eighth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, ten thousand dollars.

Dakota or
Sioux.

Dakota or Sioux. — For expense of transporting and delivering articles furnished for Indians on the upper Missouri River, parties to treaties made at Fort Sully in October, eighteen hundred and sixty-five, twenty thousand dollars.

Bois Fort
Chippewas.
Post, Treaties,
p. 81.

Bois Fort Band of Chippewa [Indians]. — To enable the President of the United States to set apart a reservation for the Bois Fort band of Chippewa Indians, as provided in article third, treaty of April seventh, eighteen hundred and sixty-six, one thousand dollars.

For the erection of one blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, five hundred dollars.

For the erection of a school-house, as per third article treaty of April seventh, eighteen hundred and sixty-six, five hundred dollars.

For the erection of eight houses for chiefs, as per third article treaty of April seventh, eighteen hundred and sixty-six, three thousand two hundred dollars.

For the erection of an agency building and storehouse, as per third article treaty of April seventh, eighteen hundred and sixty-six, two thousand dollars.

For first of twenty instalments, for the support of one blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith shop, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, one thousand five hundred dollars.

For first of twenty instalments, for the support of one school teacher,

and for necessary books and stationery, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, eight hundred dollars.

Bois Fort
Chippewas.
Post, Treaties,
p. 81.

For first of twenty instalments for the instruction of the Indians in farming, and purchase of seeds, tools, and so forth, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight hundred dollars.

For first of twenty instalments of annuity in money, to be paid per capita, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, three thousand five hundred dollars.

For first of twenty instalments of annuity in provisions, ammunition, and tobacco, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand dollars.

For first of twenty instalments of annuity in goods and other articles, as per third article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six thousand five hundred dollars.

To enable the chiefs, headmen, and warriors to establish their people upon the new reservation, and to purchase useful articles and presents, as per fourth article treaty of April seventh, eighteen hundred and sixty-six, and Senate amendment thereto, thirty thousand dollars.

To pay necessary transportation and subsistence of the delegates who visited Washington for the purpose of negotiating treaty, as per eighth article treaty of April seventh, eighteen hundred and sixty-six, ten thousand dollars.

For transportation and necessary cost of delivery of annuity goods and provisions to the Bois Fort band of Chippewa Indians, as per sixth article treaty of April seventh, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand five hundred dollars.

Tabeguache Band of Utah Indians. — For building a blacksmith shop for the Tabeguache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, five hundred dollars.

Tabeguache
Utahs.
Vol. xiii. p. 675.

For the purchase of iron and steel and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, two hundred and twenty dollars.

For the purchase of iron, steel, and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, two hundred and twenty dollars.

For the purchase of iron, steel, and necessary tools for said shop, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, two hundred and twenty dollars.

For pay of blacksmith and assistant for the Tabeguache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, one thousand one hundred dollars.

For pay of blacksmith and assistant for the Tabeguache band of Utah Indians, as per tenth article of treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, one thousand one hundred dollars.

For pay of blacksmith and assistant for the Tabeguache band of Utah Indians, as per tenth article treaty of October seventh, eighteen hundred and sixty-three, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand one hundred dollars.

Arapaho and
Cheyennes of
the Upper Ar-
kansas River.

Arapaho and Cheyenne Indians of the Upper Arkansas River. — For reimbursing members of the bands of Arapaho and Cheyenne Indians who suffered at Sand Creek, November twenty-ninth, eighteen hundred and sixty-four, to be paid in United States securities, animals, goods, provisions, or such other useful articles as the Secretary of the Interior may direct, as per sixth article treaty of October fourteenth, eighteen hundred and sixty-five, thirty-nine thousand and fifty dollars.

For first of forty instalments, to be expended in such manner and for such purposes as the Secretary of the Interior may direct, being an amount equal to twenty dollars per capita for two thousand eight hundred persons, the number agreed upon for the present year, as per seventh article treaty of October fourteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth eighteen hundred and sixty-seven, fifty-six thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Arapaho and Cheyenne Indians of the Upper Arkansas River, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty thousand dollars.

Camanches
and Kioways.
Post, Treaties,
p. 39.

Camanches and Kioways. — For first of forty instalments, to be expended under the direction of the Secretary of the Interior, being an amount equal to ten dollars per capita for four thousand persons, the number agreed upon for the present year, as per fifth article treaty of October eighteenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, forty thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Camanche and Kioway Indians, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, eight thousand dollars.

Apaches.
Post, Treaties,
p. 33.

Apaches. — For first of forty instalments, to be expended under the direction of the Secretary of the Interior, for the Apache Indians, being an amount equal to twenty dollars per capita for eight hundred persons, as per second article treaty of October seventeenth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, sixteen thousand dollars.

For transportation of goods, provisions, and so forth, purchased for the Apache Indians for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, three thousand five hundred dollars.

Omahas.
Post, Treaties,
p. 13.

Omaha Tribe of Indians. — For this sum, to be expended by their agent, under the direction of the commissioner of Indian affairs, for goods, provisions, cattle, horses, construction of buildings, farming implements, breaking of lands, and other improvements on their reservation, as per second article of treaty of March sixth, eighteen hundred and sixty-five, fifty thousand dollars.

For this sum to be paid as damages, in consequence of the occupancy of a portion of the Omaha reservation and use and destruction of timber by the Winnebago tribe of Indians, as per third article of treaty of March sixth, eighteen hundred and sixty-five, seven thousand dollars.

Vol. x. p. 1045.

For keeping in repair a grist and saw mill, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, three hundred dollars.

For pay of one engineer and assistant, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand eight hundred dollars.

For pay of one miller and assistant, as per eighth article of treaty of

March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand two hundred dollars.

Omahas.
Post, Treaties,
p. 13.

For pay of farmer, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, nine hundred dollars.

For pay of blacksmith and assistants, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, one thousand two hundred dollars.

For support of blacksmith shop and supplying tools for the same, as per eighth article of treaty of March sixteenth, eighteen hundred and fifty-four, and third article of treaty of March sixth, eighteen hundred and sixty-five, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, three hundred dollars.

Yakama Nation. — For second instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article of treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

Yakama na-
tion.
Vol. xii. p. 953.

For third instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For fourth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For fifth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For sixth instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article of treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

For seventh instalment for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty June ninth, eighteen hundred and fifty-five, five hundred dollars.

Klamath and Modoc Indians. — For first of five annual instalments, to be applied under direction of the President, as per second article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, eight thousand dollars.

Klamath and
Modoc Indians.

For this amount to pay for such articles as may be advanced the Indians at the time of signing the treaty, and to subsist them during the first year after their removal to the reservation, the purchase of teams, farming implements, seeds, tools, clothing, and provisions, and salary of the necessary employes, as per third article treaty of October fourteenth, eighteen hundred and sixty-four, thirty-five thousand dollars.

For the erection of one saw-mill, one flouring-mill, buildings for the blacksmith, carpenter, and wagon and plough maker, the necessary buildings for one manual-labor school, and for hospital buildings, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, eleven thousand three hundred dollars.

For the purchase of tools and material for saw and flour mills, carpenter,

Klamath and
Modoc Indians.

blacksmith, wagon and plough makers' shops, and books and stationery for the manual-labor school, as per fourth article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, one thousand five hundred dollars.

For first of fifteen instalments to pay salary and subsistence of one superintendent of farming, one farmer, one blacksmith, one sawyer, one carpenter, and one wagon and plough maker, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, six thousand dollars.

For first of twenty instalments to pay salary and subsistence of one physician, one miller, and two school teachers, as per fifth article treaty of October fourteenth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, three thousand six hundred dollars.

For the erection of agency buildings, four thousand dollars.

Miscellaneous.
Flatheads.
Vol. xii. p. 976.

Miscellaneous. — For insurance and transportation of annuity goods and provisions to the Flathead Indians for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, per fifth article treaty July sixteenth, eighteen hundred and fifty-five, eleven thousand nine hundred and twenty dollars and forty-one cents.

Indian service
in New Mexico;

Indian Service in New Mexico. — For general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

in country
leased from
Choctaws.

Indian Service in the District of Country leased from the Choctaws for the Indians lately residing in Texas. — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employes, purchasing clothing, medicine, iron, and steel, maintenance of schools for Indians lately residing in Texas, to be expended under direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

Wichitas, &c.

For the Wichitas and other Affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employes, purchase of clothing, medicines, iron, and steel, and maintenance of schools, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

Miscellaneous
Indian service
in California.

Miscellaneous. — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians in California, fifty-five thousand dollars.

Delivery of
annuities to In-
dians in Minne-
sota and Michi-
gan;

Pawnees,
Poncas, and
Yancton Sioux.

Vaccination.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions, ten thousand dollars.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

Indian service
in Oregon and
Washington.

For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent and sub-agents, thirty-five thousand five hundred dollars.

For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employes, fifty thousand dollars.

Removal and subsistence of Indians in Oregon and Washington.
Indian service in Nevada;

Indian Service in Nevada.— For the general incidental expenses of the Indian service in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

Indian Service in Utah Territory.— For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

in Utah Territory;

Indian Service in Colorado Territory.— For the general incidental expenses of the Indian service in Colorado Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

in Colorado Territory.

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, for the Cherokee school fund, nine hundred dollars.

Interest on abstracted bonds, Cherokee school, and national funds.

For payment of interest on sixty-eight thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, of the Cherokee national fund, four thousand and eighty dollars.

Navajo Indians in New Mexico.— For subsistence for the Navajo Indians, and for the purchase of sheep and of agricultural implements, seeds, and other articles necessary for breaking the ground on the reservation upon the Pecos River, one hundred thousand dollars.

Navajo Indians in New Mexico.

For payment of interest on one million six hundred and ninety thousand three hundred dollars, non-paying stock held by the Secretary of the Interior in trust for the various Indian tribes, up to and including the interest payable July first, eighteen hundred and sixty-six, one hundred thousand one hundred and fifty-three dollars.

Interest on non-paying stock held in trust for Indian tribes.

For subsistence, clothing, and general incidental expenses of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, at their new homes, one hundred thousand dollars.

Expenses of Sisseton, Wahpaton, Medawakanton, and Wahpakoota Sioux or Dakota Indians.

Indian Service in Idaho Territory.— For the general incidental expenses of the Indian service in Idaho Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Indian service in Idaho Territory;

Indian Service in the Territory of Arizona.— For the general incidental expenses of the Indian service in the Territory of Arizona, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

in Arizona Territory;

Indian Service in Montana Territory.— For the general incidental expenses of the Indian service in Montana Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

in Montana Territory;

California.— For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, upon each of the four reservations

in California.

in California, at the rate of fifty dollars per month, twelve thousand dollars.

Indian service in Dakota Territory.

Indian Service in Dakota Territory. — For the general incidental expenses of the Indian service in Dakota Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Delivery of provisions to Indians in Utah superintendency.

For the transportation and necessary expenses of delivery of provisions to the Indians within the Utah superintendency, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty-two thousand five hundred dollars.

Special agent for Winnebago, &c. Indians.

For salary of a special agent to take charge of Winnebago and Pottawatomie Indians now in the State of Wisconsin, one thousand five hundred dollars.

Funds and moneys to be appropriated according to stipulations of treaty or provisions of law.

SEC. 2. *And be it further enacted,* That no funds belonging to any Indian tribe with which treaty relations exist shall be applied in any manner not authorized by such treaty, or by express provisions of law, nor shall money appropriated to execute a treaty be transferred or applied to any other purpose, unless expressly authorized by law.

Appropriation for payment of supplies to destitute Indians of Southern superintendency, for removal and relief of destitute.

SEC. 3. *And be it further enacted,* That there be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated, the sum of five hundred thousand dollars for the payment of supplies already furnished to the destitute Indians of the Southern superintendency, for removing them to their homes, and for relieving such destitute persons among said Indians as are in actual want and suffering: *Provided,* That no part of the money hereby appropriated shall be paid until a full examination shall be made by the Secretary of the Interior and the first comptroller of the treasury, and they shall ascertain that the money is justly and equitably due under contracts made and executed in entire good faith and for necessary supplies actually delivered to the Indians as aforesaid, at reasonable prices; and for this purpose the comptroller is hereby authorized to take testimony and state the amount due said contractors upon principles of equity; and no money shall be paid or allowed on account of supplies furnished after the passage of this act.

Full examination to be made before money is expended, &c.

Certain citizens may trade with Indians on giving bond.

SEC. 4. *And be it further enacted,* That any loyal person, a citizen of the United States, of good moral character, shall be permitted to trade with any Indian tribe upon giving bond to the United States in the penal sum of not less than five nor more than ten thousand dollars, with at least two good securities, to be approved by the superintendent of the district within which such person proposes to trade, or by the United States district judge or district attorney for the district in which the obligor resides, renewable each year, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with Indian tribes, and in no respect violate the same: *Provided,* That the laws now in force regulating trade and intercourse with Indian tribes, affecting licensed traders, and prescribing the powers and duties of the commissioner of Indian affairs, superintendents, agents, and sub-agents in connection therewith, shall be continued in force and apply to traders under this provision, except as herein otherwise provided.

Conditions.

Proviso.

APPROVED, July 26, 1866.

July 26, 1866.

CHAP. CCLXVII. — *An Act to establish certain Post-Roads.*

Certain post routes established in

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post routes:

Maine.
Ante, p. 6.

MAINE.

From Sherman to Houlton, in Ar[oo]stook County.

From Wilton, via Bean's Corner, to North Chesterville.
 From Flag-Staff to Eustis Mills.
 From Hollis to Dayton.
 From Brunswick to West Harpswell.
 From Porter, via North Porter, Cram's Mills, and Goshen Seminary,
 to Conway Centre, in New Hampshire.

Post routes in
 Maine.

VERMONT.

Vermont.
Ante, p. 8.

From West Alburgh to Champlain, New York.

NEW YORK.

New York.
Ante, pp. 7, 189.

From Rochester to Chili Centre, Monroe County.
 From Lyon's Falls to Carthage.
 From Sherburne, via Columbus, New Berline, and Oneonta, to Albany.
 From Schurous, Otsego County, via Furgusonville, Davenport, and
 West Kortright, to Bloomville, Delaware County.
 From Morris, Otsego County, via New Berlin, Chenango County, to
 Norwich.
 From Delhi, via Elk Creek, Hartwright, and Charlotte Creeks, Mere-
 dith and Davenport, to Oneonta, Otsego County.
 From Unadilla to Oxford.
 From Norwich to Sidney Plains.
 From Lockport, Niagara County, via Corners and Maple Street, to
 Wilson.
 From Norwich to Morris.
 From North Petersburg Station, via Petersburg, Four Corners, and
 Petersburg, to South Petersburg.
 From Smyrna, via Sherburn, Columbus, and New Berlin, to Oneonta.
 From Bainbridge, via Guilford and Oxford, to Norwich.
 From Plymouth, via Beaver Meadow, to South Ostelic.
 From Russell, via Monterey and Clifton Iron Works, to Harewood.
 From Oxford to Unadilla.
 From Crown Point Centre, via Hammond's Furnace, to Schroon
 Lake.
 From Holland Patent to Big Brook, Oneida County, by way of Steu-
 ben.

PENNSYLVANIA.

Pennsylvania.
Ante, p. 8.

From West Chester to Downingtown.
 From Pottsville to Shenandoah.
 From Lincolnville to Miller's Station.
 From Oldforge to Factoryville.
 From Johnstown to Shade Gap.
 From Gordonsville to Intercourse.
 From Westminster to Southampton.
 From Mount Union, via Litz store, to Mount Tare factory.
 From Quakertown, via Milford Square, Spinnerstown, and Gory's, to
 Pennsburg.
 From Farmington to Brandonville, Virginia.
 From Barry's to Weishampletown.
 From Oil City, via Oleopolis, to Pithole.
 From Sartwell, McKean County, to Forrest House, Potter County.
 From Erie, via Wattsburg, to Union Mills.
 From Tionesta, in Venango County, to Foxborough, in Forrest County.
 From West Decatur, via Clearfield Bridge, to Curwensville.
 From Germany to Warren.
 From Stevens, via Schoen Creek, and Reinholdsville, to Cocalico, and
 return to Stevens, via Schoeneck.

Post routes in
Pennsylvania.

From Leopard to Reesville.
From Downingtown, via Brooklyn, Comog, Moorestown Station, and
Barnestown Station, to Waynesburg.
From New Bloomfield to Mannsville.
From Ridgway to Shawmut.
From Cove Station, Huntington County, to Martinsburg, Blair County.
From Three Springs to Mount Union, in Huntington County.
From West Chester, via McCall's Boot Road Station, to West Chester
Intersection.
From Bethel, via Crosskill Mills, and Mount Ætna, in County of
Berks, to Myerstown in the County of Lebanon, State of Pennsylvania.

Maryland.
Ante, p. 189.

MARYLAND.

From Dublin to Rising Sun.
From Ellicott's Mills to Brightown.

Delaware.

DELAWARE.

From Wyoming, via Lebanon, to Magnolia.

West Virginia.
Ante, pp. 8, 190.

WEST VIRGINIA.

From Flemington, Taylor County, via Fairview, Noah Smith's, and
Fairfield, to Maxwell's Mills.
From Arnoldsburg to Webb's Mills.
From Elm Grove to Dallas.
From Grafton to Belington.
From Mount Hebron to Mouth of Seneca.
From Franklin to Mount Freedom.
From Saint Mary's to Hebron.

Ohio.
Ante, p. 8.

OHIO.

From Logan to East Rush Creek.
From Sparta to Middletown.
From Mount Vernon, via Sparta, Marengo, Macon, and Bennington, to
Ashley.
From Beverly, via Dunganon and Kuths, to Sharon.
From Salem to Carrollton.
From Hamden, via Eagle Furnace, Wilkersville, Ewington, Vinton,
and Pine Grove, to Gallipolis.
From Ripley to Bradysville.
From Carrollton, by way of Cabell, Augusta, Maysville, Hanoverton,
to Salem.

Indiana.
Ante, pp. 6, 191.

INDIANA.

From Mechanicsburg to Middletown.
From Rockville to Covington.
From Jervis, via Hamilton, Alverdale, Metz, Fish Creek, and York
Centre, to Camden, in Michigan.
From Augusta Station, via Traders' Point, to Royalton.
From Fairland, via Cyrenius Bishops, Roseburgs, Fountaintown, and
Smiths, to Greenfield.
From Philadelphia to New Palestine and Sugar Creek.
From Covington to State Line, in Warren County.
From Jasper to Lynnville.
From Milroy to Greensburg.
From Fort Wayne, via Saint Vincent, and Oil Ridge, to Auburn.

Illinois.
Ante, p. 191.

ILLINOIS.

From Princeton to Walnut.

- From Antioch, via Liberty, to Salem, in Kenosha County, Wisconsin. Post routes in Illinois.
 From Edwardsville to Troy.
 From Blackberry to Hustling's Station.
 From Dunleath, via Fairplay, Jamestown, Big Rutch, and Swetzer's Grove, to Plattersville, in Wisconsin.
 From Lancaster, via Annoton, to New California, in Grant County, Wisconsin.
 From Cedar Bluff, via Mount Pleasant, to Mosco.
 From Manchester, via Winchester, to Florence.
 From McLeansboro, via Belle Prairie, Long Prairie, and Keeneville, to Henia.
 From Chili to Bowensburg.
 From Gardner, via Mazou, Highland, Vienna, and Bruce, to Tonica.
 From Bedford to Pearl.
 From Virders to Taylorsville.
 From Danville to Reesville.
 From Pilot Grove to Denham.
 From Decatur to Newburg.
 From McLeansboro, via Buck, to Fairfield.
 From Louisville to Henia.
 From Teutopolis to Veni.
 From Webb's Prairie, via Henning's Store, to Moore's Prairie.
 From Florence, Illinois, by Winchester, to Manchester.

MICHIGAN.

Michigan.
Ante, p. 7.

- From Pontiac to Rochester.
 From Bristol, in Indiana, via Union, Osburn's Mills, and Brownsville, to Cassapolis, in Cass County, Michigan.
 From Buchanan, via Wesaw and New Troy, to Laketown.
 From Decatur, via Prospect Lake, to Lawrence.
 From Easton Rapids, via Spicersville, Brookfield, and Walton, to Olivet.
 From Niles, via Berrien Centre, Eau Claire, Pipestone, Sodus, and Benton Harbor, to Saint Joseph.
 From Holly to New Hudson.
 From Vermontville to Barrysville.
 From Sylvania, Lucas County, Ohio, to Whitesford Centre, Michigan.
 From Big Rapids, Mecosta County, via Rogers's Bridge, Satterley's Mill, and Cato, to Stanton, in Montcalm County.
 From Stanton to Mill Brook.
 From Ionia, via Smyrna, to Greenville.
 From Newaygo to Mears.
 From Holland, via Zeeland, Wiesland, and Jamestown, to Grand Rapids.
 From Manistee to Stronach.
 From Newaygo, via Fremont Centre, Greenwood, and Elbridge, to Pent Water.
 From Croton to Traverse City.
 From Newaygo, via Bridgeton, to Minkeyon.
 From Pontiac, via Rochester and Mount Vernon, to Romeo.
 From Paw Paw, via New State Road, to Allegan.
 From Allison to Newman.
 From Coldwater, via Orangeville and Union City, to Athens.
 From Stanton to Mount Pleasant.

MISSOURI.

Missouri.
Ante, p. 190.

- From Brunswick, via Brookfield, Northcut, Milan, and Unionville, to Centerville, in Iowa.

Post routes in
Missouri.

From Keytsville, via Bucklin, Strickerville, Greencastle, and Unionville, to Centerville, in Iowa.

From Jefferson to Louisiana.

From Unionville, via Putnam County, via Greencastle, and Strickerville, to Pennsville, thence via New Boston, Buckland, to Hannibal and Saint Joseph Railroad.

From Patterson to Doniphan.

From Quincy to Stockton.

From Mount Vernon, via Spring River Academy, Golden Grove, Lamar, Baker's Grove, and Washington Adams, to Fort Scott, in Kansas.

From Savannah, via Maryville, Bedford, and Afton, to Winterset, in Iowa.

From Saint Joseph, via Rochester, Albany, Eagle, Leon, Osceola, Indianola, to Des Moines, in Iowa.

From Hamilton, via Gallatin, Salem, and Bethany, to Eagle.

From Chillicothe, via Trenton and Princeton, to Leon, in Iowa.

From Brunswick, via Compton's Ferry, to Chillicothe.

From Bucklin, via New Boston, Pleasantville, Birdseye Bridge, Greencastle, to Cincinnati and Centerville, Iowa.

From Trenton, via Buttsville, Modena, and Burr Oak, to *Mine* [Nine] Eagles.

From Pattonsburg to Albany.

From Forest City, via Rush Bottom, Lowell, Hemmes Landing, Sonora, and Linden Landing, to Sidney, in Iowa.

From Princeton, via Ravenna, Cleopatra, and Warsaw, to Corydon, in Iowa.

From Fort Scott to Neosho.

From Sedalia, via Calhoun, Clinton, Osceola, Humansville, Stockton, Greenfield, Bowers's Mills, Sarcovie, Newtonia, and Granby, to Neosho.

From Perryville to Buhle's Store.

From Bloomfield to Kennett.

From Beech to Fourmile.

From Glasgow, via Salisbury, to Callao.

From Gallatin to Leon, Iowa.

From Bethany, via Cameron, to Kansas City.

From Pleasant Hill, via Aubery, in Kansas, Paola, and Staunton, to Ottowa.

From Pleasant Hill, via Bloomington to Mound City, Kansas.

From Harmony to Potosi.

From Terre Haute, in Missouri, via Ayersville and Warsaw, to Corydon, in Iowa.

Minnesota.
Ante, pp. 7, 189.

MINNESOTA.

From Dunleath to Vermillion Lake.

From Forest City, via Kimball's Prairie and Maine Prairie, to Saint Cloud.

From Monticello, via Buffalo, Chatham, and Waverly, to Middleville.

From Monticello, via Silver Creek and Corinna, to Fair Haven.

From La Morille, via Pickwick and S. C. Dicks's, to La Crescent.

From Shakopee to Excelsior.

From Mantorville, by Vernon, Waltham, and Mower City, to Austin.

From Buffalo, by Maple Lake, to Fair Haven.

From Saint Charles to Quincy.

From La Suer to Cordova.

From Saint Peters, Scandian Grove, and Sibley, to Henderson.

From Rushford to Preston.

From Chaska to Saint Bonifacius.

From West Albany, via Read's Ford, to Forest Mound.

From Wabasha to Forest Mound.

From Pedler's Grove to Garden City.

From Red Wing, via Mazeppa, to Rochester.

From Minneaska, via East Indian Creek and Read's Ford, to Mazeppa.

From Buffalo, via Maple Lake, to Fair Haven.

IOWA.

Iowa.

Ante, pp. 8, 189.

From Blakesburg to Moravia.

From Des Moines to New Jefferson.

From Sigourney to Askoloosa.

From Towden, via Oxford Mills and Scotch Grove, to Monticello.

From Helena R. R. Station, via Eureka and Kent's Ridge, to Brooklyn.

From Dennison to Magnolia.

From Des Moines to Saint Joseph, Missouri.

From Fort Dodge, via Dakota, Wancosta, Fern Valley, and Emmetsburg, to Estherville.

From Newbury, via Hartland and Bristol, to Northwood.

From Northwood to Mason City.

From Northwood, via Gordonville and Shellrock, to Albert Lea, in Minnesota.

From Burlington, via Toolesboro, to Port Louisa.

From Osceola, via La Salle, to Hopeville.

From Burlington, via Port Louisa and Grandview, to Ononioa.

From Vernon, via Mount Sterling and Upton, to Memphis.

From Rockford, via Rock Grove City, Nora Springs, Shell Rock Falls, and Plymouth, to Northwood.

From Boonsboro, via Dennison, Paradise, Olmstead, and Whitesboro, to Saint John.

From Guttentburg, via Elkport and Littleport, to Strawberry Point.

From Nevada, via Iowa Centre, Peoria, and Greencastle, to Colfax.

From Grundy Centre, via Parkersburg, Butler Centre, West Point, and Coldwater, to Marble Rock.

From Wheatland, via Toronto and Burgess, to Monmouth.

From Webster to Luni.

From Sigourney to Montezuma.

From Iona to New Hartford.

From Winterset to Fort Des Moines.

From Postville, via *Sybrand* [Lybrand] and Ludlow, to Waukon.

From West Union, via Fredericksburg, Williamstown, and Bradford, to Nashua.

From Centreville, via Cincinnati, Unionville, Pennville, Greencastle, Birdseye Ridge, Pleasantville, New Boston, Bucklin, Westville, to Keitsville.

From Onawa to Section Eight, township eighty-five.

From Des Moines, via Hickory Grove, Palestine, Ames, Blinkson, and Saratoga, to Webster City.

From Winterset, via Afton, Bedford, and Maryville, to Savannah, in Missouri.

From Postville to Waukon.

From Panora, via Dale City, to Fontanelle.

From Des Moines, via Pilot Grove and Macksville, to Lewis.

From Algona, via Armstrong's Grove and Mud Lakes, to Esthersville.

From Parkersburg to Marble Rock.

From Marion to Winthrop.

From Eldoria, via Point Pleasant, to Tipton.

From Recerville, via Wentworth, to Le Roy, in Minnesota.

From Des Moines, via Chariton, Corydon, and Linersville, to Chilli-cothe, in Missouri.

Post routes in
Iowa.

From Postville to Wauken.
 From Lewis, via Red Oak Junction, to Sidney.
 From Vernon to Memphis, Missouri.
 From Germanville to Coalport.
 From Grinnell to New Hartford.
 From Homestead to Little City.
 From Marshaltown, via Timber Creek and College Farm, to Newton.
 From New Oregon to Austin, Minnesota.
 From Clio to Iowa Centre.
 From Pottsville to Wauken.
 From New Oregon, via Vernon Springs, Line Springs, Glen Rock,
 and Eatonville, in Iowa, and La Roy, in Minnesota, to Austin, Minne-
 sota.
 From Brighton, via Germanville, Salina, to Glendale.
 From Menomonee, via Mill Spring and Plumb city, to Maiden Rock.
 From Ettrick to Mehone.
 From Richland Centre, via Boaz, Bradeys, Yankeetown, Rising Sun,
 and Alexander's Mills, to De Sota.
 From Princeton, via Germania, to Montelle.
 From Pella to Shawnee.
 From Woodman, via Millerville, Mount Hope, and Tafton, to Beetown.
 From Port Washington to Wabacca.
 From Maysville to Theresa.
 From Trempealeau, via Arcadia, Burnside, and Hale, to Sumner.
 From Friendship, via Arcade, to Barnum.
 From Manston to Warner.
 From River Falls to Brookville.
 From Melrose to Sparta.
 From Alma to Durana.
 From White Creek, via Easton, Arcade, Woodworth, and Point Basel,
 to Plover.
 From Denison to Ida.

WISCONSIN.

Wisconsin.
Ante, pp. 8, 189.

From Dunleith, Illinois, to Platteville, Wisconsin.
 From Woodman, by Millville, Mount Hope, and Tayton, to Beetown.
 From Richland Centre, by Boaz, Brady's Rowes, Yanktown, Tower-
 ville, Rising Sun, and Alexander's Mill, to De Sota.
 From Wilson's Creek, by Black Hawk, to Sauk City.

CALIFORNIA.

California.
Ante, pp. 5, 190.

From San Buenaventura, via Ojai, to Camulas.
 From Oisalia, via Fort Tejon, to Bakersfield.
 From Red Bluff, via Nome Lackee, to Coast Range.
 From Cloverdale, via Uncle Sam, Lower Lake, and Lake Port, to Up-
 per Lake.
 From Susanville to Taylorsville.
 From Fort Bidwell to Susansville.
 From Fort Bidwell to Pueblo.
 From Taylorville to Carner Place.
 From Chico to Colusa.
 From Colusa, via Antelope Valley, Bear Valley, and Sulphur Springs,
 to Lakeport.
 From Oak Creek to Independence.
 From Suison City, Solano County, via Gordon Valley, Rag Cannon,
 and Berryessa Valley, to Lower Lake, in Lake County.
 From Smith's Ranch, via Caffey's Cave, Casper Creek Mills, Noyo
 Mills, Ten Mile River, Bear Harbor, Shelter Cove, and Upper Mattole,
 to Lower Mattole.

KENTUCKY.

Post routes in
Kentucky.

From Horse Kane to Bucksville.

From Augusta, via Brookville, Powersville, Petra, Milford, to Claysville.

From Richmond to Lexington.

From Irvine to McKee.

From Cattlesburg, via Canonsburg, Botts Fork, Sulphur Spring, and Cherokee, to Blair.

From Somerset to Knorville.

From Beattysville to Thompsonville.

MONTANA TERRITORY.

Montana Ter-
ritory.
Ante, p. 190.

From Virginia City, via Formans, Fosters, and Boreman's City, to Yellowstone City.

From Crossing of Gallatin at Foster's farm, to Gallatin City.

WASHINGTON TERRITORY.

Washington
Territory.
Ante, p. 8.

From Seattle, via Tree Posts, Pass Blakeley, to Pass Orchard.

DAKOTA TERRITORY.

Dakota Terri-
tory.
Ante, p. 6.

From Fort Randall to Fort Sully.

From Sioux Falls to Ponca.

From Fort Wadsworth to Devil's Lake.

OREGON.

Oregon.
Ante, p. 190.

From Dallas City, via Selilo, Umatilla, Wallula, to Walla-Walla.

UTAH TERRITORY.

Utah Terri-
tory.

From Logan to Dexton.

From Huntsville to Bennington.

From Logan to Oxford.

From Nephi to Saint George, via Severe Valley and Fort Gunnison.

KANSAS.

Kansas.
Ante, pp. 8, 189.

From Paoli, via Miami, Madora, to Blooming Grove.

From Humboldt, via Coonville, Lightning Creek Valley, Chetopah, Cabin Creek, Alburdes, to Fort Gibson.

From Ottawa to Mound City.

From Cottonwood Falls to Lincolnville.

From Wathena, via Columbus, to Iowa City Point.

NEVADA.

Nevada.
Ante, pp. 7, 190.

From West Gate to Ione.

From Austin to Unionville.

From Austin, via Pahrnagat and Callville, to Fort Mojave.

NEW JERSEY.

New Jersey.

From Woodmansee to Mannahawkin.

NEBRASKA TERRITORY.

Nebraska Ter-
ritory.
Ante, p. 7.

From Dakota City to Yancton, in Dakota Territory.

From Plattsmouth to Columbus.

From Ponca to Fremont.

From Saint John's, Iowa, via De Soto and Fontanelle, Nebraska, to Buchanan, Nebraska.

Post routes in
Nebraska Terri-
tory.

From Brownsville to Table Rock, Nebraska.
From Brownsville to Grant, Nebraska.
From Fremont, via Jalappa, Saint Charles, Greenwood, West Point,
and Rock Creek, to South Fork of Elk Horn.

Idaho Terri-
tory.

IDAHO TERRITORY.

From Idaho City to Rocky Bar.
From Ruby City, via Puebla Valley, to Chico, in California.
From Ruby City to Jacksonville, in Oregon.
From Placerville, via Warren's Diggings to Florence.
From Boise City, via Old Fort Boise, to Clanyon City, in Oregon.
From Idaho City to Silver City.

Montana Ter-
ritory.
Ante, p. 190.

MONTANA TERRITORY.

From Helena to Wallula.
From Wallula to Seattle.
From Kalmiche to Elma.
From Jefferson Crossing, via Silver Prow City and Deer Lodge City,
to Blackfoot.
From Helena to Diamond City.
From Helena, via Blackfoot, to Hell Gate.
From Virginia City, via Sterling and Garfield, to Gallatin City.
From Gallatin City to Boreman.
From Helena, via Dearborn and Sun River Farm, to Fort Benton.
From Diamond City to Fort Benton.
From Junction, via on Salt Lake Road, via Cut Off, to Virginia City.
From Hell Gate to Flat Head.
From Virginia City, to Fort Sully, in Dakota Territory.
From Helena, via Fort Laramie and Fort Reno, to New Fort Kear-
ney, in Nebraska Territory.
From Helena to Blackfoot City.
From Bannock City, via German Gulch, to French Gulch.
From Bannock City to Montana City, on Rattlesnake Creek.
From Virginia City, via Silver Bow, Deer Lodge City, and Hell Gate,
to Fort Owens, in Bitter Root Valley.

Dakota Ter-
ritory.
Ante, pp. 6, 287.

DAKOTA TERRITORY.

From Panca Agency to Chateau.
From Fort Sully to Virginia City, in Montana Territory.

Indian Terri-
tory.

INDIAN TERRITORY.

From Fort Gibson, via Creek Agency, to Seminole Agency.
APPROVED, July 26, 1866.

July 26, 1866.

CHAP. CCLXVIII. — *An Act in Relation to the Appointment of Clerks to the Courts of Washington Territory.*

Clerks of
district courts
in Washington
Territory, their
appointment,
duties, and
powers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each judge of the district court shall appoint a clerk for each court in his district, who shall reside and keep his office at the place of holding said court, and exercise the powers now provided by law for the clerk of the supreme court of the Territory of Washington, and be subject to all provisions of law, not inconsistent with this act, applicable to the clerk of said supreme court.

APPROVED, July 26, 1866.

CHAP. CCLXIX. — *An Act to provide for and to regulate the Weighing of Exports, and for other Purposes.* July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon all weighable articles hereafter exported, upon which a drawback or return duty is allowed, and upon all weighable goods withdrawn from bonded warehouses for export, there shall be levied and collected, by the collectors of the several ports, three cents per hundred pounds, to be determined by the returns of the weighers.

Upon certain weighable articles exported, three cents per hundred pounds to be collected.

SEC. 2. *And be it further enacted,* That the office of measurer at the port of New York is hereby abolished, and the duties heretofore performed by them shall be performed by the weighers.

Office of measurer at New York abolished.

SEC. 3. *And be it further enacted,* That the weighers at the port of New York shall receive, from and after the passage of this act, an annual salary of twenty-five hundred dollars: *Provided,* That the increase of compensation, over and above the present salary of said officers, shall not exceed, in any fiscal year, the amount of fees earned by them.

Duties to be performed by weighers.

Salary of weighers at New York. Proviso.

APPROVED, July 26, 1866.

CHAP. CCLXX. — *An Act granting Lands to the State of Kansas to aid in the Construction of a southern Branch of the Union Pacific Railway and Telegraph, from Fort Riley, Kansas, to Fort Smith, Arkansas.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding the Union Pacific Railroad Company, southern branch, the same being a corporation organized under the laws of the State of Kansas to construct and operate a railroad from Fort Riley, Kansas, or near said military reservation, thence down the valley of the Neosho River to the southern line of the State of Kansas, with a view to an extension of the same through a portion of the Indian Territory to Fort Smith, Arkansas, there is hereby granted to the State of Kansas, for the use and benefit of said railroad company every alternate section of land or parts thereof designated by odd numbers, to the extent of five alternate sections per mile on each side of said road and not exceeding in all ten sections per mile; but in case it shall appear that the United States have, when the line of said road is definitely located, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to the sections above specified, so much land as shall be equal to the amount of such lands as the United States have sold, reserved, or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by the direction of the Secretary of the Interior, shall be reserved and held for the State of Kansas for the use of said company by the said Secretary for the purpose of the construction and operation of said railroad, as provided by this act: *Provided,* That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement or other purpose whatever, be, and the same are hereby, reserved and excepted from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way, two hundred feet in width, is hereby granted, subject to the approval of the President of the United States: *And provided, further,* That said lands hereby granted shall not be selected beyond twenty miles from the line of said road.

Public lands granted to Kansas to aid in construction of a railroad and telegraph from Fort Riley to Fort Smith.

If any of granted lands have been sold or reserved, &c. other lands may be selected in lieu thereof.

Lands heretofore reserved excepted from this act.

Right of way granted.

Lands not to be selected beyond twenty miles from line of road.

Remaining lands, &c. not to be sold for less than double the minimum price. Settlers under pre-emption laws;

under the homestead act.

Conditions of this grant.

Granted lands to inure to benefit of company as follows.

If road is not completed in ten years, unpatented lands to revert.

When maps of route of road are filed, lands to be withdrawn from market.

United States mail to be carried.

Right of way through public lands granted for the railroad.

Materials for construction. Extent of grant of right of way. Grounds for stations, &c.

Acceptance of terms, &c. of this act to be in writing and within one year.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which by the aforesaid grant shall remain in the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price of public lands when sold: *Provided*, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: *Provided, also*, That settlers under provisions of the homestead act, who make their settlement after the passage of this act and comply with the terms and requirements of said act, shall be entitled, within the said limits of ten miles, to patents for an amount not exceeding eighty acres each.

SEC. 3. *And be it further enacted*, That the grant of lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and shall at all times transport troops, munitions of war, supplies, and public stores upon its road for the government of the United States, free from all cost or charge therefor to the government, when required to do so by any department thereof. And the lands hereby granted shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good, substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for so many sections of the land herein granted within the limits above named, and coterminous with said completed section hereinbefore granted; and when certificates of the governor aforesaid shall be presented to said Secretary of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the land for each of said sections of road as in the first instance, until said road shall be completed: *Provided*, That if said road is not completed within ten years from the date of the acceptance of the grant hereinbefore made, the lands remaining unpatented shall revert to the United States.

SEC. 4. *And be it further enacted*, That as soon as said company shall file with the Secretary of the Interior maps of its line, designating the route thereof, it shall be the duty of said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported on said road, and under the direction of the Post Office Department, at such price as Congress may by law provide: *Provided*, That until such price is fixed by law the Postmaster-General shall have power to fix the compensation.

SEC. 6. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said Pacific Railroad Company, southern branch, its successors and assigns, for the construction of a railroad as proposed: and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, work-shops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations.

SEC. 7. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Pacific Railroad Company southern branch, shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within

one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 8. *And be it further enacted*, That said Pacific Railroad Company, southern branch, its successors and assigns, is hereby authorized and empowered to extend and construct its railroad from the southern boundary of Kansas, south through the Indian Territory, with the consent of the Indians, and not otherwise, along the valley of Grand and Arkansas rivers, to Fort Smith, in the State of Arkansas; and the right of way through said Indian Territory is hereby granted to said company, its successors and assigns, to the extent of one hundred feet on each side of said road or roads, and all necessary grounds for stations, buildings, workshops, machine-shops, switches, side-tracks, turn-tables, and water-stations.

Pacific Railroad Company, southern branch, may extend its road, through Indian Territory, by consent, to Fort Smith.

Right of way through Indian Territory, and ground for stations, &c.

SEC. 9. *And be it further enacted*, That the same grant[s] of lands through said Indian Territory are hereby made as provided in the first section of this act, whenever the Indian title shall be extinguished by treaty or otherwise, not to exceed the ratio per mile granted in the first section of this act: *Provided*, That said lands become a part of the public lands of the United States.

When Indian title is extinguished in Indian Territory, and lands become public lands, grant thereof to company.

SEC. 10. *And be it further enacted*, That said Pacific Railroad Company, southern branch, its successors and assigns, shall have the right to negotiate with, and acquire title to land for railroad purposes from, any Indian nation or tribe authorized by the United States to dispose of lands, and from any other nation or tribe of Indians through whose lands said railroad may pass, subject to the approval of the United States, or from any company or parties incorporated or authorized for such purposes, by such nation or tribe, or which such parties may have acquired under the laws of the United States.

Company may acquire title from certain Indians.

SEC. 11. *And be it further enacted*, That any railroad company chartered under any law of the United States, or of any State which may have been heretofore or shall hereafter be organized by any act of the Congress of the United States, may connect, unite, and consolidate with this railroad company, after the same shall be located to the valley of the Neosho or Grand River, upon just, fair, and equitable terms, to be agreed upon between the parties, as shall not be against the public interest, or the interest of the United States.

Any railroad company may unite with this company, after, &c.

APPROVED, July 26, 1866.

CHAP. CCLXXVII. — *An Act to incorporate the Washington Temperance Society of the City of Washington, District of Columbia.*

July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John S. Hollingshead, William G. Flood, Christopher Cammack, senior, Asbury Lloyd, John B. Wheeler, Zach. B. Brooke, Ros. A. Fish, George W. Maher, Wm. P. Drew, Wm. H. Nally, Thomas B. Marche, Oscar Alexander, William Dixon, and others who now are or may hereafter become members of said society, and their successors, are hereby declared to be one community and body corporate by the name, style, and title of the Washington Temperance Society of Washington City and District of Columbia; and by that name they shall be, and are hereby, made able and capable in law to have, receive, and retain to them and their successors property real and personal, also devises and bequests of any person or persons, bodies corporate or politic, capable of making the same, and the same to dispose of or transfer at their pleasure in such manner as they may think proper: *Provided always*, That the said corporation shall not at any time hold or possess property, real, personal, or mixed, exceeding in value the sum of twenty-five thousand dollars, other than that which may be invested in a hall to be erected for the purposes of the society.

Washington Temperance Society incorporated.

Name.

Corporate powers.

Limit to amount of property.

SEC. 2. *And be it further enacted*, That the said corporation and their

Corporate powers.

successors, by the name and title aforesaid, shall be capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any courts of justice, and before all and any judges, officers, or persons whatsoever, in all and singular actions, matters, or demands whatsoever.

Meetings, by-laws, &c.

SEC. 3. *And be it further enacted*, That the said corporation shall have power to hold stated meetings; to establish and put into execution, alter or abolish such by-laws, rules, and regulations as to them shall seem most conducive to the interests of the society: *Provided*, That the same shall not be contrary to the laws of the United States.

Corporation not to issue notes, &c. as currency.

SEC. 4. *And be it further enacted*, That nothing in this act shall be so construed as to authorize the said corporation to issue any note, token, device, or other evidence of debt to be used as a currency.

Act may be altered, &c.

SEC. 5. *And be it further enacted*, That this act may be altered or repealed at the pleasure of the Congress.

APPROVED, July 27, 1866.

July 27, 1866.

CHAP. CCLXXVIII. — *An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from the States of Missouri and Arkansas to the Pacific Coast.*

Atlantic and Pacific Railroad Company incorporated.
Corporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John B. Brown, Anson P. Morrill, Samuel F. Hersey, William G. Crosby, Samuel E. Spring, Samuel P. Dinsmore, of Maine; N. S. Upham, Frederick Smyth, Onslow Stearns, S. G. Griffin, William E. Chandler, of New Hampshire; T. W. Parke, H. H. Baxter, John Gregory Smith, A. P. Lyman, of Vermont; Walter S. Burges, William S. Slater, Stephen Harris, Thomas P. Shepard, of Rhode Island; William Merritt, Alexander H. Bullock, George L. Stearns, Genery Twitchell, Charles H. Warren, Chester W. Chapin, of Massachusetts; John Boyd, Robert C. Wetmore, John T. Wait, Cyrus Northrop, of Connecticut; Solon Humphreys, J. Bigler, Homer Ramsdell, Isaac H. Knox, John A. C. Gray, Daniel L. Ross, A. V. Stout, M. K. Jessup, R. E. Fenton, E. L. Fancher, J. C. Fremont, James Hoy, Jesse M. Bolles, Edward Gilbert, James P. Robinson, Oliver C. Billings, of New York; Charles Bachelor, John Edgar Thompson, Morton Michael, T. Haskins Du Puy, Thomas A. Scott, Charles Rickettson, William Lyon, George W. Cass, Levi Parsons, of Pennsylvania; Charles Knap, J. L. N. Stratton, James B. Dayton, Robert F. Stockton, Alexander G. Cattell, A. W. Markley, of New Jersey; John W. Garrett, Charles J. M. Gwinn, Robert Fowler, Jacob Tome, Thomas M. Lanahan, of Maryland; Charles J. Dupont, Henry Ridgley, Andrew C. Gray, Nat. Smythers, of Delaware; Bellamy Storer, George B. Senter, William Baker, Samuel Galloway, David Tod, Charles Anderson, Bird B. Chapman, Edward Sturgis, Israel Dille, of Ohio; Edwin Peck, William D. Griswold, James P. Luse, Samuel E. Perkins, Conrad Baker, of Indiana; Richard J. Oglesby, N. B. Judd, Samuel A. Buckmaster, D. L. Phillips, L. P. Sanger, of Illinois; Eber B. Ward, Omar D. Congar, Nathaniel W. Brooks, Alexander H. Morrison, of Michigan; Z. G. Simmons, Alexander Mitchell, J. J. Williams, G. A. Thompson, J. J. R. Pease, John H. Hersey, of Wisconsin; Henry A. Smith, Sherman Finch, William Mitchell, R. F. Crowell, L. F. Hubbard, E. F. Drake, of Minnesota; Lyman Cook, Platt Smith, Jacob Butler, Henry I. Reid, Hoyt Sherman, of Iowa; William G. Brownlow, of Tennessee; Thomas C. Fletcher, B. B. Bonner, John M. Richardson, Emil Pretorinous, E. W. Fox, R. J. McElheny, Charles H. Howland, Madison Miller, George W. Fishback, T. J. Hubbard, George Knapp, Charles K. Dickson, A. G. Braun, G. L. Hewitt, P. A. Thompson, James W. Thomas, Charles E. Moss, Edward Walsh, A. R. Easton, Truman J. Horner, J. B. Eads, D. R. Garrison, W. A. Kayser, George P. Robinson, of Missouri; Thomas E. Bramlette,

Benjamin Gratz, C. E. Warren, Lazarus W. Powell, John Mason Brown, Joshua Speed, of Kentucky; Solon Thatcher, Jacob Stotter, William B. Edwards, James G. Blunt, Robert McBratney, of Kansas; Harrison Hagus, James Cook, Robert Crangle, Benjamin H. Smith, of West Virginia; Lorenzo Sherwood, A. J. Hamilton, of Texas; William Gilpin, Henry C. Leach, of Colorado; Phineas Banning, Timothy G. Phelps, William B. Carr, Edward F. Beale, Fred. F. Lowe, Benj. B. Redding, B. W. Hathaway, Leonidas Haskell, Frederick Billings, of California; W. S. Ladd, J. R. Moores, Walter Monteith, John Kelly, B. F. Dowell, of Oregon; James L. Johnson, Henry Connelly, Francisus Perea, of New Mexico; J. H. Mills, A. P. K. Safford, E. S. Davis, of Nevada; King S. Woolsey, William H. Hardy, Coles Bashford of Arizona; Henry D. Cooke, of the District of Columbia; and all such other persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style, and title of the "Atlantic and Pacific Railroad Company," and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized and empowered to lay out, locate, and construct, furnish, maintain, and enjoy, a continuous railroad and telegraph line, with the appurtenances, namely: Beginning at or near the town of Springfield, in the State of Missouri, thence to the western boundary line of said State, and thence by the most eligible railroad route as shall be determined by said company to a point on the Canadian River, thence to the town of Albuquerque, on the River Del Norte, and thence, by way of the Agua Frio, or other suitable pass, to the head-waters of the Colorado Chiquito, and thence, along the thirty-fifth parallel of latitude, as near as may be found most suitable for a railway route, to the Colorado River, at such point as may be selected by said company for crossing; thence by the most practicable and eligible route, to the Pacific. The said company shall have the right to construct a branch from the point at which the road strikes the Canadian River eastwardly, along the most suitable route as selected, to a point in the western boundary line of Arkansas, at or near the town of Van Buren. And the said company is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act, as herein set forth. The capital stock of said company shall consist of one million shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such manner as the laws of said corporation shall provide. The persons hereinbefore named are hereby appointed commissioners, and shall be called the board of commissioners of the "Atlantic and Pacific Railroad Company," and fifteen shall constitute a quorum for the transaction of business. The first meeting of said board of commissioners shall be held at the Turner Hall, in the city of Saint Louis, on the first day of October, anno Domini eighteen hundred and sixty-six, or at such time within three months thereafter as any ten commissioners herein named from Missouri shall appoint, notice of which shall be given by them to the other commissioners by publishing said notice in at least one daily newspaper in the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, once a week for at least four weeks previous to the day of meeting. Said board shall organize by the choice from its number of a president, vice-president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof, as they may deem proper. The secretary shall be sworn to the faithful performance of his duties, and such oath shall be entered upon the records of the company, signed by him, and the oath verified thereon. The president and secretary of

Corporators.

Name of corporation, &c.

Seal.
Corporation may locate and construct railroad and telegraph line.
Termini and route.

Branch eastwardly to near Van Buren, Arkansas.

Powers and privileges.

Capital stock.

Persons before named appointed board of commissioners.

Quorum.
First meeting of commissioners.

Notice.

Organization of board and officers.

Treasurer to give bonds.

Secretary to be sworn.

Other meetings, how called.
Commissioners to open books for subscriptions to stock.

When and how first meeting of subscribers to stock to be called.

Directors.
Each share to have a vote.

Inspectors of election.

Commissioners to deliver to directors all moneys, books, &c. and their duties to cease.

Annual meetings of corporation.

Right of way granted through public lands for construction of railroad and telegraph.

Materials for construction.

Extent of grant of right of way.

Right of way exempt from taxation.

Indian title to be extinguished.

Public lands granted to the corporation to aid in the construction of railroad and telegraph.

said boards shall, in like manner, call all other meetings, naming the time and place thereof. It shall be the duty of said board of commissioners to open books, or cause books to be opened, at such times and in such principal cities or other places in the United States as they or a quorum of them shall determine, within twelve months after the passage of this act, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as ten thousand shares shall in good faith be subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said board of commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in each State in which subscription books have been opened, at least fifteen days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by lawful proxy, then and there shall elect, by ballot, thirteen directors for said corporation; and in such election each share of said capital stock shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners, and in case of their absence or inability any two of the officers of said board, shall act as inspectors of said election, and shall certify, under their hands, the names of the directors elected at said meeting. And the said commissioners, treasurer, and secretary shall then deliver over to said directors all the moneys, properties, subscription books, and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. Annual meetings of the stockholders of the said corporation for the choice of officers, (when they are to be chosen,) and for the transaction of business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

SEC. 2. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to the said Atlantic and Pacific Railroad Company, its successors and assigns, for the construction of a railroad and telegraph as proposed; and the right, power, and authority is hereby given to said corporation to take from the public lands adjacent to the line of said road material of earth, stone, timber, and so forth, for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass through the public domain, including all necessary grounds for station-buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations; and the right of way shall be exempt from taxation within the Territories of the United States. The United States shall extinguish, as rapidly as may be consistent with public policy and the welfare of the Indians, and only by their voluntary cession, the Indian title to all lands falling under the operation of this act and acquired in the donation to the road named in the act.

SEC. 3. *And be it further enacted*, That there be, and hereby is, granted to the Atlantic and Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line to the Pacific coast, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores, over the route of said line of railway and its branches, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever, on the line thereof, the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights,

at the time the line of said road is designated by a plat thereof, filed in the office of the commissioner of the general land office; and whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, occupied by homestead settlers, or pre-empted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections, and not including the reserved numbers: *Provided*, That if said route shall be found upon the line of any other railroad route, to aid in the construction of which lands have been heretofore granted by the United States, as far as the routes are upon the same general line, the amount of land heretofore granted shall be deducted from the amount granted by this act: *Provided further*, That the railroad company receiving the previous grant of land may assign their interest to said "Atlantic and Pacific Railroad Company," or may consolidate, confederate, and associate with said company upon the terms named in the first and seventeenth sections of this act: *Provided further*, That all mineral lands be, and the same are hereby, excluded from the operations of this act, and in lieu thereof a like quantity of unoccupied and unappropriated agricultural lands in odd-numbered sections nearest to the line of said road, and within twenty miles thereof, may be selected as above provided: *And provided further*, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal: *And provided further*, That no money shall be drawn from the treasury of the United States to aid in the construction of the said "Atlantic and Pacific Railroad."

SEC. 4. *And be it further enacted*, That whenever said Atlantic and Pacific Railroad Company shall have twenty-five consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated, the President of the United States shall appoint three commissioners to examine the same, who shall be paid a reasonable compensation for their services by the company, to be determined by the Secretary of the Interior; and if it shall appear that twenty-five consecutive miles of said road and telegraph line have been completed in a good, substantial and workmanlike manner, as in all other respects required by this act, the commissioners shall so report under oath, to the President of the United States, and patents of lands, as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands situated opposite to and coterminous with said completed section of said road. And from time to time, whenever twenty-five additional consecutive miles shall have been constructed, completed, and in readiness as aforesaid, and verified by said commissioners to the President of the United States, then patents shall be issued to said company conveying the additional sections of land as aforesaid, and so on as fast as every twenty-five miles of said road is completed as aforesaid.

SEC. 5. *And be it further enacted*, That said Atlantic and Pacific Railroad shall be constructed in a substantial and workmanlike manner, with all the necessary draws, culverts, bridges, viaducts, crossings, turn-outs, stations, and watering-places, and all other appurtenances, including furniture and rolling stock, equal in all respects to railroads of the first class when prepared for business, with rails of the best quality, manufactured from American iron. And a uniform gauge shall be established throughout the entire length of the road. And there shall be constructed a telegraph line, of the most substantial and approved description, to be operated along the entire line: *Provided*, That the said company shall not charge the government higher rates than they do individuals for like transportation and telegraphic service. And it shall be the duty of the Atlantic and Pacific Railroad Company to permit any other railroad which shall be authorized to be built by the United States, or by the legislature

If any of granted lands have been sold, or reserved, &c. other lands may be selected in lieu thereof.

If route is found to be upon the line of any other road to which lands have been granted, amount of former grant to be deducted.

Road having previous grant may assign to, or unite with, this company.

Mineral lands excluded from operation of this act.

The word "mineral" not to include "iron or coal."

No money to be drawn from treasury to aid in construction of this road.

Upon report of commissioners under oath that twenty-five consecutive miles are completed, patents for coterminous lands to issue to company;

and so as to any other twenty-five consecutive miles.

Railroad how to be constructed.

Rails.
Gauge.
Telegraph line.

Rates for service.

Other railroads may form running connections with it.

of any Territory or State in which the same may be situated, to form running connections with it, on fair and equitable terms.

SEC. 6. *And be it further enacted*, That the President of the United States shall cause the lands to be surveyed for forty miles in width on both sides of the entire line of said road after the general route shall be fixed, and as fast as may be required by the construction of said railroad; and the odd sections of land hereby granted shall not be liable to sale or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company.

SEC. 7. *And be it further enacted*, That the said Atlantic and Pacific Railroad Company be, and is hereby, authorized and empowered to enter upon, purchase, take, and hold any lands or premises that may be necessary and proper for the construction and working of said road, not exceeding in width one hundred feet on each side of the line of its railroad, unless a greater width be required for the purpose of excavation or embankment; and also any lands or premises that may be necessary and proper for turn-outs, standing places for cars, depots, station-houses, or any other structures required in the construction and working of said road. And the said company shall have the right to cut and remove trees and other material that might, by falling, encumber its road-bed, though standing or being more than two hundred feet from the line of said road. And in case the owner of such lands or premises and the said company cannot agree as to the value of the premises taken, or to be taken, for the use of said road, the value thereof shall be determined by the appraisal of three disinterested commissioners, who may be appointed upon application by either party to any court of record in any of the Territories in which the lands or premises to be taken lie; and said commissioners, in their assessment of damages, shall appraise such premises at what would have been the value thereof if the road had not been built. And upon return into court of such appraisement, and upon the payment into the same of the estimated value of the premises taken for the use and benefit of the owner thereof, said premises shall be deemed to be taken by said company, which shall thereby acquire full title to the same for the purposes aforesaid. And either party feeling aggrieved at said appraisement may, within thirty days after the same has been returned into court, file an appeal therefrom, and demand a jury of twelve men to estimate the damage sustained; but such appeal shall not interfere with the rights of said company to enter upon the premises taken, or to do any act necessary and proper in the construction of its road. And said party appealing shall give bonds, with sufficient surety or sureties, for the payment of any cost that may arise upon such appeal; and in case the party appealing does not obtain a verdict more favorable, such party shall pay the whole cost incurred by the appellee, as well as his own, and the payment into court, for the use of the owner of said premises taken, at a sum equal to that finally awarded, shall be held to vest in said company the title of said land, and the right to use and occupy the same for the construction, maintenance, and operation of said road. And in case any of the lands to be taken as aforesaid shall be held by an infant, femme covert, non compos, insane person, or persons residing without the Territory within which the lands to be taken lie, or persons subjected to any legal disability, the court may appoint a guardian, for any party under any disqualification, to appear in proper person, who shall give bonds, with sufficient surety or sureties, for the proper and faithful execution of his trust, and who may

Lands on both sides of line of route of railroad.

Odd sections not liable to sale, or entry or pre-emption.

Provisions of pre-emption and homestead acts extended to lands on line of road.

1841, ch. 16, §10.

Vol. v. p. 455.

1862, ch. 75.

Vol. xii. p. 392.

Company may take any land necessary for working of road.

Width.

Lands for stations, &c.

Trees.

Damages, how to be determined.

When lands are to be deemed taken by the company.

Appeal to a jury.

Appellant to give bonds.

Costs.

Payment into court of a sum equal to final award to vest title of land in company.

Proceedings where lands taken are held by persons under disability.

represent in court the person disqualified, as aforesaid, from appearing, when the same proceedings shall be had in reference to the appraisement of the premises to be taken for the use of said company, and with the same effect as has been already described; and the title of the company to the lands taken by virtue of this act shall not be affected or impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case any party shall have a right or claim to any land for a term of years, or any interest therein, in possession, reversion, or remainder, the value of any such estate, less than a fee simple, shall be estimated and determined in the manner hereinbefore set forth. And in case it shall be necessary for the company to enter upon any lands which are unoccupied, and of which there is no apparent owner or claimant, it may proceed to take and use the same for the purposes of said railroad, and may institute proceedings, in manner described, for the purpose of ascertaining the value of, and of acquiring a title to, the same; but the judge of the court hearing said suit shall determine the kinds of notice to be served on such owner or owners, and he may in his discretion appoint an agent or guardian to represent such owner or owners in case of his or their incapacity or non-appearance. But in case no claimant shall appear within six years from the time of the opening of said road across any land, all claims to damages against said company shall be barred.

Proceedings where the interest in the land is for a term of years, &c.; where lands are unoccupied and without apparent owner.

SEC. 8. *And be it further enacted*, That each and every grant, right, and privilege herein are so made and given to and accepted by said Atlantic and Pacific Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the main line of the whole road by the fourth day of July, anno Domini eighteen hundred and seventy-eight.

Rights and privileges of this act are granted and accepted, upon conditions, &c.

Work, when to be commenced and when completed.

SEC. 9. *And be it further enacted*, That the United States make the several conditional grants herein, and that the said Atlantic and Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, the United States may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

If conditions are broken and continue so one year, the United States may complete the road.

SEC. 10. *And be it further enacted*, That all people of the United States shall have the right to subscribe to the stock of the Atlantic and Pacific Railroad Company until the whole capital named in this act of incorporation is taken up by complying with the terms of subscription.

Who may subscribe to stock.

SEC. 11. *And be it further enacted*, That said Atlantic and Pacific Railroad, or any part thereof, shall be a post route and military road, subject to the use of the United States for postal, military, naval, and all other government service, and also subject to such regulations as Congress may impose restricting the charges for such government transportation.

Railroad to be a post route and military road.

Charges for government transportation.

SEC. 12. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Atlantic and Pacific Railroad Company shall be signified in writing under the corporate seal of said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterwards, and shall be deposited in the office of the Secretary of the Interior.

Acceptance of these conditions by company to be in writing, and within two years.

SEC. 13. *And be it further enacted*, That the directors of said company shall make and publish an annual report of their proceedings and expenditures, verified by the affidavits of the president and at least six of the directors, a copy of which shall be deposited in the office of said Secre-

Annual report.

Rates of fare,
tolls, &c.

President and
vice-president.

Treasurer and
secretary.

Bonds.

Secretary to
be sworn.

Who may not
be a director.

Term of office
of president,
vice-president,
and directors.

If directors are
not elected on
day appointed
by by-laws.

Powers of
directors.
Quorum.
By-laws.

Vacancies.

Engineers,
agents, &c.

Ten per cent
of subscriptions
to be paid in
cash.

Balance, when
to be paid.

Notice when
payments are
due.

If stockholders
neglect to pay,
stock and pre-
vious payments
forfeited.

Redemption.

Company may
accept and hold
any grant, loan,
aid, &c.

tary of the Interior, and they shall, from time to time, fix, determine, and regulate the fares, tolls, and charges to be received and paid for transportation of persons and property on said road, or any part thereof.

SEC. 14. *And be it further enacted*, That the directors chosen in pursuance of the first section of this act shall, so soon as may be after their election, elect from their own number a president and vice-president; and said board of directors shall, from time to time, and so soon as may be after their election, choose a treasurer and secretary, who shall hold their offices at the will and pleasure of the board of directors. The treasurer and secretary shall give such bonds, with such security as the said board from time to time may require. The secretary shall, before entering upon his duty, be sworn to the faithful discharge thereof, and said oath shall be made a matter of record upon the books of said corporation. No person shall be a director of said company unless he shall be a stockholder, and qualified to vote for directors at the election at which he shall be chosen.

SEC. 15. *And be it further enacted*, That the president, vice-president, and directors shall hold their offices for the period indicated in the by-laws of said company, not exceeding three years, respectively, and until others are chosen in their place, and qualified. In case it shall so happen that an election of directors shall not be made on any day appointed by the by-laws of said company, the corporation shall not for that excuse be deemed to be dissolved, but such election may be holden on any day which shall be appointed by the directors. The directors, of whom seven, including the president, shall be a quorum for the transaction of business, shall have full power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, the transfer of shares, the duties and conduct of their officers and servants touching the election and meeting of the directors, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors may have full power to fill any vacancy or vacancies that may occur from any cause or causes from time to time in their said board. And the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of the company, and to do all acts and things touching the location and construction of said road.

SEC. 16. *And be it further enacted*, That it shall be lawful for the directors of said company to require payment of the sum of ten per centum cash assessment upon all subscriptions received of all subscribers, and the balance thereof at such times and in such proportions and on such conditions as they shall deem to be necessary to complete the said road and telegraph lines within the time in this act prescribed. Sixty days' previous notice shall be given of the payments required, and of the time and place of payment, by publishing a notice once a week in one daily newspaper in each of the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by such person shall be forfeited absolutely to the use of the company, and also any payment or payments that shall have been made on account thereof, subject to the condition that the board of directors may allow the redemption on such terms as they may prescribe.

SEC. 17. *And be it further enacted*, That the said company is authorized to accept to its own use any grant, donation, loan, power, franchise, aid, or assistance which may be granted to or conferred on said company by the Congress of the United States, by the legislature of any State, or by any corporation, person, or persons, or by any Indian tribe or nation through whose reservation the road herein provided for may pass; and said corporation is authorized to hold and enjoy any such grant, donation,

loan, power, franchise, aid, or assistance, to its own use, for the purpose aforesaid: *Provided*, That any such grant or donation, power, aid, or assistance from any Indian tribe or nation shall be subject to the approval of the President of the United States.

SEC. 18. *And be it further enacted*, That the Southern Pacific Railroad, a company incorporated under the laws of the State of California, is hereby authorized to connect with the said Atlantic and Pacific Railroad, formed under this act, at such point, near the boundary line of the State of California, as they shall deem most suitable for a railroad line to San Francisco, and shall have a uniform gauge and rate of freight or fare with said road; and in consideration thereof, to aid in its construction, shall have similar grants of land, subject to all the conditions and limitations herein provided, and shall be required to construct its road on the like regulations, as to time and manner, with the Atlantic and Pacific Railroad herein provided for.

SEC. 19. *And be it further enacted*, That unless the said Atlantic and Pacific Railroad Company shall obtain bona fide subscriptions to the stock of said company to the amount of one million of dollars, with ten per centum paid, within two years after the passage of and approval of this act, it shall be null and void.

SEC. 20. *And be it further enacted*, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the government at all times, but particularly in time of war, the use and benefits of the same for postal, military, and other purposes, Congress may, at any time, having due regard for the rights of said Atlantic and Pacific Railroad Company, add to, alter, amend, or repeal this act.

SEC. 21. *And be it further enacted*, That whenever in any grant of land or other subsidies, made or hereafter to be made, to railroads or other corporations, the United States has reserved the right, or shall reserve it, to appoint directors, engineers, commissioners or other agents to examine said roads, or act in conjunction with other officers of said company or companies, all the costs, charges, and pay of said directors, engineers, commissioners, or agents, shall be paid by the respective companies. Said directors, engineers, commissioners, or agents shall be paid for said services the sum of ten dollars per day, for each and every day actually and necessarily employed, and ten cents per mile for each and every mile actually and necessarily travelled, in discharging the duties required of them, which per diem and mileage shall be in full compensation for said services. And in case any company shall refuse or neglect to make such payments, no more patents for lands or other subsidies shall be issued to said company until these requirements are complied with.

APPROVED, July 27, 1866.

Grant from any Indian tribe to be subject to the approval of the President of the United States.

Southern Pacific R. R. Co. may connect with the Atlantic and Pacific road.

Point of connection.

Gauge and rates of fare.

May have similar grants of land on like terms.

This act to be void, unless, &c.

Act may be altered or repealed.

When in grants to corporations, the United States reserves the right to appoint directors, or agents, &c. all costs, pay, &c. of such persons are to be borne by the corporations.

Rate of pay to such persons.

If company neglects to make such payments, no more patents for lands, &c. to issue.

CHAP. CCLXXIX. — *An Act to incorporate the General Hospital of the District of Columbia.* July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joseph Henry, James C. Hall, Amos Kendall, Thomas Miller, Richard Wallach, George W. Riggs, Grafton Tyler, Henry D. Cooke, D. W. Middleton, Charles Knap, Benjamin B. French, James C. McGuire, Charles H. Nichols, William B. Todd, William Gunton, Edward Simms, and Thomas Young, and their successors in office, are hereby made, declared, and constituted a corporation and body politic, in law and in fact, under the name and style of the Directors of the General Hospital of the District of Columbia, and by that name they shall be, and are hereby, made capable in law to sue and be sued, to plead and be impleaded, in any court within the county of Wash-

General Hospital of the District of Columbia incorporated.

Name and powers of corporation.

Annual income of property not to exceed, &c.

President and other officers.

Vacancies.

Powers of corporation.

Property to be devoted to what purposes.
By-laws.

Act may be altered.

ington, in the District of Columbia, to have and use a common seal, and to alter and amend the same at pleasure; to have, purchase, receive, possess, and enjoy any estates in lands, tenements, annuities, goods, chattels, moneys, or effects, and to grant, demise, and dispose of the same in such manner as they may deem most for the interest of the hospital: *Provided*, That the annual income from the same held by such corporation shall not exceed in value the sum of twenty-five thousand dollars.

SEC. 2. *And be it further enacted*, That the said corporation and body politic shall have full power to appoint from their own body a president and such other officers as they may deem necessary for the purposes of their creation; and in case of the death, resignation, or refusal to serve of any of their number, the remaining members shall elect and appoint other persons in lieu of those whose places may have been vacated; and the said corporation shall have full power and all the rights of opening and keeping a hospital in the city of Washington, for the care of such sick, wounded, and invalid persons as may place themselves under the care of said corporation, and the property held by said corporation shall be devoted exclusively to the purposes of such hospital.

SEC. 3. *And be it further enacted*, That the said corporation shall also have and enjoy full power and authority to make such by-laws, rules, and regulations as may be necessary for the general accomplishment of the objects of such hospital: *Provided*, That they be not inconsistent with the laws in force in the District of Columbia: *And provided further*, That this act shall be liable to be amended, altered, or repealed at the pleasure of Congress.

APPROVED, July 27, 1866.

July 27, 1866. CHAP. CCLXXX. — *An Act in Relation to the District Courts of the United States in the States of California and Louisiana.*

California and Louisiana respectively to form only one judicial district.
How called.
Judges, marshals, and attorneys.

Pending, &c. process.

Clerks of southern district of California and western district

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the southern judicial district of the State of California and the western district of Louisiana shall be, and the same are hereby, abolished, and hereafter the said States shall respectively constitute one judicial district, and shall respectively be called the districts of California and Louisiana. The district judge, marshal, and district attorney of the United States for the northern district of California and the eastern district of Louisiana shall respectively possess and exercise the same powers and jurisdiction in said district courts of California and Louisiana as they now possess and exercise in their respective districts.

SEC. 2. *And be it further enacted*, That all actions, suits, and proceedings, civil or criminal, which shall have been commenced, and at the time of the passage of this act shall be pending in the southern district of California or the western district of Louisiana, and all process, orders, judgments, decrees, records, or other papers or proceedings relating thereto or filed therein, shall be transferred to the said district courts of California and Louisiana respectively, which courts shall possess and exercise over such actions, suits, and proceedings, and the process, orders, judgments, decrees, records, and other papers and proceedings so transferred, the same authority and jurisdiction as they would have had if such actions, suits, and proceedings had been commenced in said courts; and no indictment, writ, process, recognizance, or other proceeding returnable to or to be heard, tried, or considered in the said southern district of California or said western district of Louisiana shall be abated, discontinued, or rendered void by the transfer thereof as aforesaid.

SEC. 3. *And be it further enacted*, That the clerks of the said southern district of California and the said western district of Louisiana shall, as soon as practicable after the passage of this act, deliver to and deposit

with the clerks of the said district courts of California and Louisiana, respectively, all property, books, records, documents, and papers remaining in their respective offices, and the same shall be received and kept by the said last-mentioned clerks subject to the order and direction of such courts respectively.

SEC. 4. *And be it further enacted*, That executions may be issued out of the said district court of California and the said district court of Louisiana, respectively, to collect any judgment or decree rendered in the said southern district of California or said western district of Louisiana before the passage of this act with the same effect as the same might now be issued out of the court in which such judgment or decree was rendered; and all process which shall have been issued out of said district court for the southern district of California or said western district of Louisiana, and shall not have been returned before the passage of this act, shall be returned to and filed with the clerks of the district courts of California and Louisiana respectively.

SEC. 5. *And be it further enacted*, That the salary of the United States district judge for the district of Louisiana shall hereafter be four thousand five hundred dollars per annum.

APPROVED, July 27, 1866.

of Louisiana to deposit books and property with the clerks of courts hereby established.

Executions to collect judgments heretofore rendered.

Salary of judge for the district of Louisiana.

CHAP. CCLXXXI. — *An Act to authorize the Use in Post Offices of Weights of the Denomination of Grams.* July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized and directed to furnish to the post offices exchanging mails with foreign countries, and to such other offices as he shall think expedient, postal balances denominated in grams of the metric system; and, until otherwise provided by law, one half ounce avoirdupois shall be deemed and taken for postal purposes as the equivalent of fifteen grams of the metric weights, and so adopted in progression; and the rates of postage shall be applied accordingly.

APPROVED, July 27, 1866.

Postal balances denominated in grams of the metric system may be furnished certain post-offices.

One half ounce to be the equivalent of fifteen grams.

CHAP. CCLXXXII. — *An Act to authorize the Refunding of certain Taxes.*

July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where the license tax imposed upon any wholesale dealer has been calculated upon the amount of such dealer's sales for the previous year, in accordance with the terms of the seventy-ninth section of an act approved June thirtieth, eighteen hundred and sixty-four, and it shall be proved to the satisfaction of the commissioner of internal revenue that the sales made under such license did not equal in amount the sales of such previous year, it shall be lawful for said commissioner to refund to such wholesale dealer so much of the amount paid for such license as may be in excess of the proper tax chargeable upon the amount of sales actually made under such license during the year for which the same was issued.

APPROVED, July 27, 1866.

Certain license taxes of wholesale dealers may be refunded. 1864, ch. 173, § 79. Vol. xiii. p. 251.

CHAP. CCLXXXIII. — *An Act amendatory of Section thirteen of an Act entitled "An Act to amend an Act entitled 'An Act to provide Internal Revenue to support the Government, to pay Interest on the Public Debt, and for other Purposes,' approved June 30, 1864," approved March 3, 1865.* July 27, 1866.

1865, ch. 78, § 13. Vol. xiii. p. 485.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirteenth section of an act entitled "An act to amend an act entitled 'An act to provide internal revenue to support the government, to pay interest on the public

Section 13 of the act 1866, ch. 78, amended by substituting the words "without

paying the special tax therefor," for "without having first obtained a license so to do."

debt, and for other purposes,' approved June thirtieth, eighteen hundred and sixty-four," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, amended by striking out the words "without having first obtained a license so to do," and inserting in lieu thereof the words, "without paying the special tax therefor."

APPROVED, July 27, 1866.

July 27, 1866.

CHAP. CCLXXXIV. — *An Act to amend the Acts relating to Officers employed in the Examination of imported Merchandise in the District of New York, and for other Purposes.*

One appraiser to be appointed at the port of New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the appraisers now authorized by law for the appraisement of goods, wares, and merchandise at the port of New York, the President of the United States shall, by and with the advice and consent of the Senate, appoint for said port one appraiser, who has had experience as an appraiser, or who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation subject to appraisement, and who, before he enters upon the duties of his office, shall take and subscribe an oath faithfully to direct and supervise the examination, inspection, and appraisement according to law, of such goods, wares, and merchandise as the collector may direct, and as is hereinafter provided for, and to cause to be duly reported to the collector the true value thereof, as required by law: *Provided,* That the collector shall not, under any circumstances, direct to be sent for examination and appraisement less than one package of every invoice, and one package at least out of every ten packages of goods, wares, and merchandise, and a greater number should he, or the appraiser, or any assistant appraiser, deem it necessary: *Provided,* nevertheless, that when from the character and description of the goods, wares, and merchandise, the Secretary of the Treasury may be of the opinion that the examination of a less proportion of packages will amply protect the revenue, he may, by special regulation, direct a less number of packages to be examined. And the appraiser, created by this act, in cases of his necessary and occasional absence, may perform his functions, ad interim, by deputy, designated by him in writing, from the assistant appraisers to be appointed under the provisions of this act.

Qualifications.

Oath.

Packages to be sent for examination and appraisement.

Proviso.

When and how appraiser may act by deputy.

Ten assistant appraisers to be appointed for the port of New York.

Qualifications.

To act under direction of appraiser.
Oath.

Their report approved by appraiser, to be deemed the appraisement required by law.

One of the assistant appraisers to act as special examiner of drugs.

SEC. 2. *And be it further enacted,* That in lieu of the assistant appraisers now authorized by law for the port of New York, the Secretary of the Treasury may appoint not exceeding ten assistant appraisers for said port, who have had experience as appraisers, or who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation subject to appraisement, and included among the goods, wares, or merchandise, to the examination and appraisement of which they are respectively to be assigned, and who shall be employed in appraising goods, according to law, under the direction and supervision of the appraiser; and each of whom shall, before entering upon the duties of his office, take and subscribe an oath diligently and faithfully to examine and inspect such goods, wares, and merchandise as the appraiser may direct, and truly to report to him the true value thereof, according to law; such report to be subject to revision and correction by the appraiser, and when approved by him to be transmitted to the collector, and to be deemed and taken to be the appraisement by the United States local appraiser of the district of such goods, wares, or merchandise required by law.

SEC. 3. *And be it further enacted,* That one of the assistant appraisers to be appointed by virtue of this act, with special reference to his qualifications for the duties in this section set forth, shall, in addition to the duties that may be required of him by the appraiser, perform the duties and act in the place and stead of the special examiner of drugs, medicines, chemicals, and so forth, at the port of New York, as provided by the act

of June twenty-six, eighteen hundred and forty-eight, chapter seventy, and one of the assistant appraisers to be appointed by virtue of this act shall be detailed by the appraiser for the supervision of the department for the examination of merchandise damaged on the voyage of importation, and as far as practicable to make examinations and appraisals of such or any other merchandise as the appraiser may direct, and in all cases truly to report to him the extent of such damage, or the true value of the merchandise appraised, as the case may be, according to law, such report to be subject to the same revision, correction, and approval by the appraiser, as prescribed in the second section of this act, and to be in like manner, and for the same purpose, transmitted to the collector.

1848, ch. 70.
Vol. ix. p. 237.

One assistant appraiser to examine damaged merchandise.

SEC. 4. *And be it further enacted*, That in lieu of the clerks now employed in the examination, inspection, and appraisement of goods, wares, and merchandise at the port of New York, the Secretary of the Treasury may, on the nomination of the appraiser, appoint such number of examiners as said Secretary may in writing determine to be necessary, their compensation to be limited and fixed by him, but not to exceed the rates of twenty-five hundred dollars per year, to aid each of said assistant appraisers in the examination, inspection, and appraisement of goods, wares, and merchandise, according to law; and no person shall be appointed such examiner who is not, at the time of his appointment, practically and thoroughly acquainted with the character, quality, and value of the article or articles in the examination and appraisement of which he is to be employed; nor shall any such examiner enter upon the discharge of his duties, as such, until he shall have taken and subscribed an oath faithfully and diligently to discharge such duties according to law; and the Secretary of the Treasury shall also appoint, on the nomination of the appraiser, the clerks, verifiers, samplers, openers, packers, and messengers employed in the appraiser's office, or in any of the departments thereof, and shall limit and fix their number and compensation; but their compensation shall not exceed the rates of compensation usually paid for similar service.

Examiners to be appointed.

Number and pay to be determined by Secretary of Treasury.

Qualifications.

Oath.

Clerks, verifiers, samplers, openers, packers, and messengers.

SEC. 5. *And be it further enacted*, That it shall not be lawful for the appraiser, the assistant appraisers, examiners, clerks, verifiers, samplers, messengers, or other persons employed in the departments of appraisal, or any of them, to engage or be employed in any commercial or mercantile business, or act as agent for any person engaged in such business, during the term of their appointment.

No officer appointed under this act to engage in mercantile business.

SEC. 6. *And be it further enacted*, That the appraiser who may be appointed under the provisions of this act shall receive a compensation of four thousand dollars per annum, and the assistant appraisers shall each receive a compensation of three thousand dollars per annum, to be paid out of the appropriations for defraying the expenses of collecting the revenue.

Pay of appraiser and assistants.

SEC. 7. *And be it further enacted*, That the compensation allowed, respectively, to the appraiser and the assistant appraisers, under the provision of this act, shall be paid to them in monthly payments, and in due proportion for any period less than one month for the time they may actually serve.

Compensation to be paid monthly.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed; and all provisions of existing acts relating to the duties of the appraisers now provided for by law, or to any proceedings consequent or dependent upon the action of such appraisers and not inconsistent with the provisions of this act, shall be construed to apply to the appraiser and assistant appraisers provided for by this act, and shall be continued in full force, and that this act shall take effect on and after the first day of September, anno Domini eighteen hundred and sixty-six.

Inconsistent laws repealed.

Present laws respecting appraisers, &c. to apply to those appointed under this act.

When this act takes effect.

SEC. 9. *And be it further enacted*, That if at any time, from an in-

Assistant appraisers may be required to work more than usual business hours.

crease of importation, or from any other cause, there shall be found upon the floors of the public stores in the city of New York an accumulation of merchandise awaiting appraisement, it shall be the duty of the appraiser, under regulations established by the Secretary of the Treasury, to direct the assistant appraisers, and others associated with them in this branch of the public business, to devote time beyond the usual business hours, in each day, during daylight, to their respective duties, to the end that the business of appraisement may be faithfully and more promptly despatched.

Aids to the revenue to have pay of inspectors of customs.

SEC. 10. *And be it further enacted*, That all aids to the revenue or others performing the duties of inspectors of customs in any collection district, shall be paid the same per diem compensation as inspectors of customs.

APPROVED, July 27, 1866.

July 27, 1866.

CHAP. CCLXXXV. — *An Act for the Relief of Sufferers by Fire at Portland.*

Certain imports at Portland, Me., to be free of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on all goods, wares, and merchandise which may be sent from places without the limits of the United States, as gratuitous contributions to the relief of sufferers by the fire which occurred at Portland, Maine, July fourth and fifth, eighteen hundred and sixty-six, shall, when imported at the port of Portland and consigned to the proper authority for distribution, be admitted free of duty.

Drawback of import duties on materials used in buildings erected on the ground burned over.

SEC. 2. *And be it further enacted*, That there shall be allowed and paid, under such regulations as the Secretary of the Treasury shall prescribe, on all materials actually used in buildings erected on the ground burned over by said fire, a drawback of the import duties paid on the same: *Provided*, That said materials shall have been imported at the port of Portland during the term of one year from and after said fifth day of July, 1866.

Proviso.

APPROVED, July 27, 1866.

July 27, 1866.

CHAP. CCLXXXVI. — *An Act to prevent the Wearing of Sheath Knives by American Seamen.*

Seamen in merchant service not to wear sheath knives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the existing regulation for the government of the navy of the United States, prohibiting the wearing of sheath knives on shipboard is hereby extended and made applicable to all seamen in the merchant service.

Persons offering to ship as seamen to be notified of law.

SEC. 2. *And be it further enacted*, That it shall be the duty of the master or other officer in command of any ship or vessel registered, enrolled, or licensed under the laws of the United States, and of the owner or other person entering into contract for the employment of a seaman or other subordinate upon any such ship or vessel, to inform every person offering to ship himself of the provisions of this law, and to require his compliance therewith, under a penalty of fifty dollars for each omission, to be sued for and recovered in the name of the United States of America, under the direction of the Secretary of the Treasury, one half for the benefit of the informer and the other half for the benefit of the fund for the relief of sick and disabled seamen.

Penalty.

APPROVED, July 27, 1866.

CHAP. CCLXXXVII. — *An Act to further regulate the Printing of public Documents, and the Purchase of Paper for the public Printing.* July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter it shall be the duty of the superintendent of public printing, in place of the reports of the executive departments ordered by the act of June twenty-five, eighteen hundred and sixty-four, to cause to be printed and bound twenty-five hundred copies of the annual reports of the executive departments, with such accompanying documents as the heads of those departments may respectively select, but not to exceed three hundred pages for the use of said departments, respectively.

Number of copies of reports of Executive departments and documents to be printed for use of departments; 1864, ch. 155. Vol. xiii. p. 184.

SEC. 2. *And be it further enacted,* That whenever papers relating to foreign affairs shall be communicated to Congress, accompanying the annual message of the President, it shall be the duty of the superintendent of public printing to cause to be printed and bound, in addition to the usual number, two thousand copies for the use of the members of the Senate, four thousand copies for the use of the House, and two thousand five hundred copies for the use of the State Department, in place of the numbers ordered by the act of June twenty-five, eighteen hundred and sixty-four.

additional of papers relating to foreign affairs accompanying annual message.

SEC. 3. *And be it further enacted,* That in the publication of the report of the Secretary of the Navy the detailed statement of offers for supplies and of articles embraced in each class under contract be omitted, and in lieu thereof the Secretary of the Navy shall prepare and submit with his report a schedule embracing the offers by classes, indicating such as have been accepted.

Statement of offers of supplies in report of secretary of navy to be omitted, &c.

SEC. 4. *And be it further enacted,* That it shall be the duty of the superintendent of public printing, at the commencement of each session of Congress, to submit to the joint committee on printing estimates of the quantity of paper of all descriptions which will, in his opinion, be required for the execution of the public printing during the coming year. The joint committee on printing shall then fix upon a standard of paper for the different descriptions of congressional and executive printing, and it shall be the duty of the superintendent of public printing, under the direction of the joint committee on printing, to advertise in only two newspapers published in each of the cities of New York, Cincinnati, Boston, Philadelphia, Baltimore, and Washington, for sealed proposals to furnish the government of the United States with paper, of the quality and in the quantity specified in the advertisements, and it shall be the duty of the superintendent to furnish samples of the standard papers adopted by the committee to applicants therefor; the said sealed proposals to be opened before and the award of contracts to be made by the joint committee on printing to the lowest and best bidder for the interest of the government: *Provided,* That the advertisement for sealed proposals for furnishing paper shall designate the minimum portion of each particular quality of paper required for either three months, six months, or one year, as the joint committee on printing may determine; but when the minimum portion so specified shall exceed in any case one thousand reams, the advertisement shall state that proposals will be received for one thousand reams or more: *And provided further,* That no proposals shall be considered by the joint committee on printing, unless accompanied by satisfactory evidence that the person or persons making said proposals are manufacturers of or dealers in the description of paper which they propose to furnish: *And provided further,* That, in awarding contracts, an equitable period of time for filling the same shall be designated and allowed by the joint committee on printing, without whose approval no contract shall be valid: *And provided further,* That it shall be the duty of the superintendent of public printing to include in his annual report to Congress a detailed statement of all proposals made and contracts entered into for the purchase of paper.

Superintendent of public printing to submit estimates to committee of paper required for the year.

Committee to fix on standard for different kinds of paper.

Proposals to be advertised for, and how.

Samples.

Proposals to be opened before, and an award made by, committee.

Advertisement for proposals to state what.

Proposals of manufacturers or dealers only to be considered.

Equitable time to be allowed for filling contracts.

No contract valid unless approved by committee.

Annual report of superintendent to include what.

Superintendent of public printing to see that paper delivered conforms to contract.

Committee to determine differences with contractor.

If contractor is in default, superintendent to report to committee or secretary, and make a new contract;

meanwhile to purchase in open market.

Defaulting contractors to be charged with any increase of price.

Suits on bonds.

Paper may be purchased in open market where quantity required is small, or the want immediate.

Conflicting provisions of law repealed.

Superintendent not to print greater number of copies unless, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the superintendent of public printing to compare every lot of paper delivered by any contractor with the standard of quality, and also to see that it is of the weight contracted for, and to refuse to accept any paper from any contractor which does not conform to the standard of quality and is not of the stipulated weight. And in case of difference of opinion between the superintendent of public printing and any contractor for paper with respect to its quality, the matter of difference shall be determined by the joint committee on printing: *Provided*, That in default of any contractor to comply with his contract in furnishing the paper contracted for, in the proper time, and of proper quality and weight, it shall be the duty of the superintendent of public printing to report the same to the joint committee on printing if Congress is in session, or to the Secretary of the Interior if during a recess of Congress, and he shall, under the direction of the joint committee on printing or of the Secretary of the Interior, as the case may be, enter into a new contract with the lowest and best bidder for the interest of the government, amongst those whose proposals were rejected at the last opening of bids, or advertise for new proposals, under the regulations before established; and during the interval which may thus be created, he shall, under the direction of the joint committee on printing or of the Secretary of the Interior, as above provided, purchase in open market, at the lowest market price, all such paper necessary for the public service. For any increase of cost to the government in procuring a supply of paper for the use of the government, the contractor or contractors in default and his or their securities shall be charged with and held responsible for the same, and shall be prosecuted upon their bond by the solicitor of the treasury, in the name of the United States, in the circuit court of the United States in the district in which the defaulting contractor resides; and to enable the solicitor to do so, it shall be the duty of the superintendent of public printing to report to him the default on its happening, with a full statement of all the facts in the case: *And provided further*, That the joint committee on public printing, or, during the recess of Congress, the Secretary of the Interior, be authorized to empower the superintendent of public printing to make purchases of paper, in open market, at the lowest market price, whenever in their opinion the quantity required is so small, or the want is so immediate, as not to justify advertisement for and award of contract therefor.

SEC. 6. *And be it further enacted*, That all laws or parts of laws, joint resolutions, or parts of resolutions, conflicting with the above provisions, be and they are hereby repealed; nor shall the superintendent of public printing print any greater number of the reports herein named, unless otherwise directed by either house of Congress.

APPROVED, July 27, 1866.

July 27, 1866. CHAP. CCLXXXVIII. — *An Act for the Removal of Causes in certain Cases from State Courts.*

Suits where the matter in dispute exceeds \$500 in State courts against aliens, or by citizens of the State where brought, against any citizen of said State and a citizen of another State, if the suits are, &c. may be

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if in any suit already commenced, or that may hereafter be commenced, in any State court against an alien, or by a citizen of the State in which the suit is brought against a citizen of another State, and the matter in dispute exceeds the sum of five hundred dollars, exclusive of costs, to be made to appear to the satisfaction of the court, a citizen of the State in which the suit is brought is or shall be a defendant, and if the suit so far as relates to the alien defendant or to the defendant who is the citizen of a State other than that in which the suit is brought, is or has been instituted or prosecuted for the purpose of restraining or enjoining him, or if the suit is one

in which there can be a final determination of the controversy, so far as it concerns him, without the presence of the other defendants as parties in the cause, then and in every such case the alien defendant, or the defendant who is a citizen of a State other than that in which the suit is brought, may, at any time before the trial or final hearing of the cause, file a petition for the removal of the cause as against him into the next circuit court of the United States to be held in the district where the suit is pending, and offer good and *and* sufficient surety for his entering in such court, on the first day of its session, copies of said process against him, and of all pleadings, depositions, testimony, and other proceedings in said cause affecting or concerning him, and also for his there appearing and entering special bail in the cause, if special bail was originally requisite therein; and it shall be thereupon the duty of the State court to accept the surety and proceed no further in the cause as against the defendant so applying for its removal; and any bail that may have been originally taken shall be discharged, and the said copies being entered as aforesaid in such court of the United States, the cause shall there proceed in the same manner as if it had been brought there by original process against the defendant who shall have so filed a petition for its removal as above provided. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such State they would have been holden to answer final judgment had it been rendered by the court in which the suit commenced; and any injunction granted before the removal of the cause against the defendant applying for its removal shall continue in force until modified or dissolved by the United States court into which the cause shall be removed; and any bond of indemnity or other obligation given by the plaintiff upon the issuing or granting of any attachment, writ of injunction, or other restraining process against the defendant petitioning for the removal of the cause, shall also continue in full force and may be prosecuted by the defendant and made available for his indemnity in case the attachment, injunction, or other restraining process be set aside or dissolved, or judgment be rendered in his favor, in the same manner and with the same force and effect as if such injunction, attachment, or restraining process had been granted, and such bond had been originally filed or given in the court to which the cause is removed. And such removal of the cause, as against the defendant petitioning therefor, into the United States court, shall not be deemed to prejudice or take away the right of the plaintiff to proceed at the same time with the suit in the State court as against the other defendants, if he shall desire to do so. And the copies of all pleadings filed or entered as aforesaid in the United States court by the defendant applying for the removal of the cause, shall have the same force and effect in every respect and for every purpose as the original pleadings would have had by the laws and practice of the courts of such State if the cause had remained in the State court.

APPROVED, July 27, 1866.

CHAP. CCLXXXIX. — *An Act authorizing the Reimbursement to the Territory of Nebraska of certain Expenses incurred in repelling Indian Hostilit[ies].*

July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, instructed to examine, adjust, and allow the expenditures and liabilities of the Territory of Nebraska, made and incurred in the year eighteen hundred and sixty-four, for the pay, equipment, and maintenance of territorial troops in the suppression of Indian hostilities and protection of the lives and property of citizens of the United States exposed to the attacks of the confederated tribes; and the amount so al-

removed by the alien defendant, or by the defendant who is a citizen of such other State, to the circuit court of the United States.
Proceedings for removal.

State court to proceed no further against such defendants.

Attachments.

Injunctions.

Bond of indemnity, &c.

Plaintiff may proceed in State court against other defendants.

Copies of pleadings to have same effect as originals.

Claims of Nebraska for expenses in suppression of Indian hostilities to be examined, allowed, and paid.

lowed, when approved by the proper accounting officers of the treasury, shall be paid into the territorial treasury by a warrant payable to the order of the governor of that Territory, and shall be in full for all claims in the premises on the part of said Territory or the troops thereof: *Provided*, That no allowance shall be made for troops beyond the companies called out by the governor of said Territory in that year, and placed under the command of the general commanding the troops of the United States in that Territory; nor shall any rate of pay or expenses of any kind be allowed higher or greater than those allowed by law to like troops regularly enlisted in the service of the United States; and the sum of forty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated therefor out of any money in the treasury not otherwise appropriated.

APPROVED, July 27, 1866.

July 28, 1866. CHAP. CCXCIII. — *An Act to fix the Compensation of certain Collectors of Customs, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collectors of customs hereinafter named shall, from and after the first day of July, eighteen hundred and sixty-six, in lieu of the salaries to which they are now by law respectively entitled, receive the salaries following, to wit: The collectors of the districts of Texas, at Galveston, Saluria, Corpus Christi, and Brazos de Santiago, Texas, each at the rate of one thousand five hundred dollars a year in addition to the fees of office: *Provided*, That such compensation shall in no case exceed the sum of twenty-five hundred dollars per annum in the aggregate; the collectors of the districts of Beaufort, South Carolina, and Pensacola, Florida, each at the rate of one thousand dollars a year; the collectors of the district of Georgetown, in the District of Columbia, and of the districts of Cherrystone, Virginia; Brunswick, Georgia; [Saint] Augustine, Saint Mark's, and Apalachicola, Florida, and Techê, Louisiana, five hundred dollars a year each.

SEC. 2. *And be it further enacted*, That all that part of the State of Texas and the waters thereof included within the counties of Nueces, Starr, Zapata, Duval, Enciniao, Webb, La Salle, McMullen, Live Oak, Bee, Refugio, and San Patricio, shall be a distinct collection district, to be called the district of Corpus Christi, and the town of Corpus Christi shall be its only port of entry; and a collector shall be appointed to reside at said port. And Aransas shall be a port of delivery in said district.

SEC. 3. *And be it further enacted*, That the town of Indianola shall hereafter be the port of entry for the district of Saluria, in said State, instead of La Salle. And all acts and parts of acts conflicting with the provisions of this act are hereby repealed: and this act shall take effect on and after the first day of August next.

SEC. 4. *And be it further enacted*, That in lieu of the compensation now allowed by law there shall hereafter be paid to each of the deputy collectors at the ports of New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco and to each of the general appraisers and local appraisers at Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, three thousand dollars per annum; to each of the deputy naval officers and the deputy surveyors at New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand five hundred dollars per annum; and to each of the custom-house weighers at the ports of Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand dollars per annum, out of the appropriation for expenses of collecting the revenue from customs: *Provided*, That the additional compensation of twenty-

Proviso.

Appropriation.

Salaries of certain collectors of customs changed and established.

Maximum.

District of Corpus Christi in Texas established, and collector authorized.

Corpus Christi to be port of entry, and Aransas a port of delivery.

Indianola to be port of entry for district of Saluria.

This act to take effect August 1, 1866.

Pay of certain deputy collectors, general and local appraisers;

deputy naval officers and surveyors; custom-house weighers.

five per centum, as now provided by law, shall be continued to officers as aforesaid at the port of San Francisco.

SEC. 5. *And be it further enacted*, That all blank books, blanks, and stationery of every kind required by collectors and other officers of the customs, shall, so soon as they can be prepared for delivery, by or under the direction of the Secretary of the Treasury, be furnished to them for the use of their respective offices, upon requisition made by them, and the expense of such books, blanks, and stationery shall be paid out of the appropriation for defraying the expenses of collecting the revenue from customs.

Twenty-five per cent additional to officers at San Francisco.

Blank books, blanks, and stationery for officers of customs.

SEC. 6. *And be it further enacted*, That the fourth section of the act of February twenty-eight, eighteen hundred and sixty-five, entitled "An act to revive certain provisions of the act entitled 'An act further to provide for the collection of duties on imports and tonnage,' approved March three, eighteen hundred and fifteen, and for other purposes," shall not be construed to increase the per diem allowed to appraisers by the first section of the act of April two, eighteen hundred and forty-four, which it amends.

Per diem compensation of appraisers not increased by act. 1865, ch. 67, § 4. Vol. xiii. p. 442.

APPROVED, July 28, 1866.

CHAP. CCXCIV. — *An Act to prescribe the Mode of Settling the Accounts of the Clerk of the Supreme Court of the District of Columbia.*

July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerk of the supreme court of the District of Columbia shall pay into the treasury of the United States all the earnings of his office, over and above the necessary expenses of the same and his own compensation.

Clerk of supreme court of District of Columbia to pay into treasury all excess of earnings.

SEC. 2. *And be it further enacted*, That his accounts of said earnings and expenses shall be adjusted by the regular auditor of the court, or by a special auditor to be appointed by the court for the purpose, within thirty days after the first day of January and July, every year; and the auditor shall immediately report his adjustment to the court, with such exceptions thereto as the clerk shall, within four days after the adjustment reported, take and file with the auditor.

Accounts of earnings and expenses, how to be adjusted.

SEC. 3. *And be it further enacted*, That the court shall pronounce such decree upon said report and exceptions as may seem to it equitable and just; and said decree shall be final, and be binding upon the United States and the clerk. If, upon such account, a balance be found due from the clerk to the United States, the court shall order payment by the clerk into the treasury, and enforce its order by execution, process of contempt, or otherwise; and, if the clerk refuse to pay the money, shall remove him from office. If a balance be found due from the United States to the clerk, the same shall be paid upon presenting to the treasurer a copy of the decree, duly certified.

Court to pass upon report of auditor.

Account, how to be settled.

SEC. 4. *And be it further enacted*, That the clerk shall, as in other cases of judgments to which the United States is a party, furnish the solicitor of the treasury a copy of the decree immediately after it is pronounced.

Clerk to furnish copy of decree to solicitor of treasury.

SEC. 5. *And be it further enacted*, That all other modes of accounting for the earnings of said office are hereby repealed.

Repealing clause.

APPROVED, July 28, 1866.

CHAP. CCXCV. — *An Act for the Relief of the Trustees and Stewards of the Mission Church of the Wyandotte Indians.*

July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for refunding to Jacob White-Crow, John Sawahass, and others, trustees and stewards of the Wyandotte and Quindaro mission of the Kansas Conference of the Meth-

Trustees, &c. of Wyandotte and Quindaro mission of the Kan-

sas Conference to be paid for destruction of church buildings, &c.

Appropriation.

odist Episcopal Church, for the destruction of their Church buildings and library, four thousand six hundred and eighty dollars, to be applied in rebuilding said buildings and enclosing the graveyards of the Wyandotte Indians in the State of Kansas, and that the sum hereby appropriated be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCXCVI. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-seven, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-seven, viz :

Civil expenses appropriations.

Miscellaneous.

Miscellaneous. — For discharge of such miscellaneous claims not otherwise provided for as shall be admitted in due course of settlement at the treasury, two thousand dollars.

Detection, &c. of counterfeiters of United States securities and coins.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, and other securities of the United States, as well as the coins of the United States, one hundred and fifty thousand dollars.

Seamen.

For supplying deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars.

Public buildings and furniture.

For repairs and preservation of public buildings, fifty thousand dollars.

For furniture, repairs of furniture, carpets, and miscellaneous items for the same, twenty thousand dollars.

Treasury extension.

For completion of north wing of treasury extension, and grading and fencing grounds, three hundred thousand dollars.

Roofs.

For replacing with slate or copper defective galvanized iron roofs, thirty thousand dollars.

Heating apparatus.

For reconstruction of heating apparatus, thirty thousand dollars.

Burglar-proof safes, &c.

For burglar-proof safes and vaults, thirty thousand dollars.

Office furniture.

For office furniture, and repairs of furniture, and miscellaneous expenses of the treasury bureaus, sixteen thousand dollars.

Detection, &c. of perpetrators of frauds upon the United States.

For expenses of detecting and bringing to trial and punishment persons engaged in perpetrating frauds upon the United States, to be disbursed under the direction of the Secretary of the Treasury, ten thousand dollars.

Custom-house at Toledo;

For the completion of the custom-house building at Toledo, Ohio, its addition, and the approaches thereto, ten thousand dollars.

Charleston.

For the purpose of preserving from further dilapidation the new custom house building in Charleston, South Carolina, ten thousand dollars.

Arsenal at Hudson City.

For repairs of the United States arsenal at Hudson City, New Jersey, two thousand dollars.

Court house at Springfield, Illinois.

For additional appropriation to complete the new court house and post office at Springfield, Illinois, fifty thousand dollars.

Marine Hospital at Chelsea.

For repairs of Chelsea Marine Hospital, Chelsea, Massachusetts, forty thousand dollars.

National cemeteries.

To establish national cemeteries, and to purchase sites for the same, at such points as the President of the United States may deem proper, and for the care of the same, fifty thousand dollars.

Medical and surgical history of the rebellion.

For the purpose of preparing for publication under the direction of the Secretary of War, and of printing at the government printing office five thousand copies of the first volume of the medical and surgical history of the rebellion, compiled by the surgeon-general; and for the purpose of

Medical statistics of provost-marshal general's bureau.

preparing for publication under the direction of the Secretary of War, and of printing at the government printing office five thousand copies of the medical statistics of the provost-marshal general's bureau, compiled

and to be completed by surgeon J. H. Baxter, sixty thousand dollars: *Provided*, That the editions of both publications thus ordered shall be disposed of as Congress may hereafter direct: *And provided further*, That the necessary engraving and lithographing for these publications may be executed under the direction of the Secretary of War, without advertisement. Editions, how to be disposed of. Engraving and lithographing therefor.

For transportation of officers of the marine corps, their servants, troops, and expenses of recruiting, fifteen thousand dollars. Marine corps.

For the enlargement and repairs of the custom-house and post-office buildings at Bangor, Maine, thirty-five thousand dollars. Custom-house, &c. at Bangor;

For the repairs of the custom-house and post office and the walks and fences adjoining the same, at Middletown, Connecticut, five thousand dollars, the same to be expended under the direction of the Secretary of the Treasury. at Middletown.

For the erection of a chapel on the naval academy grounds at Annapolis, Maryland, twenty-five thousand dollars, and the existing appropriation for the enlargement of the chapel is hereby repealed. Chapel at naval academy.

Survey of the Coast. — For the survey of the Atlantic and Gulf coasts of the United States, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed in the work, two hundred and fifty thousand dollars. Coast survey.

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, one hundred and thirty thousand dollars.

For continuing the survey of the South Florida reefs, shoals, keys, and coast, including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed in the work, twenty-five thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians employed in the work, five thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, twenty thousand dollars.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, ten thousand dollars.

To provide for a survey of the Isthmus of Darien, under the direction of the War Department, with the view to the construction of a ship-canal in accordance with the report of the superintendent of the naval observatory to the Navy Department, forty thousand dollars. Survey of Isthmus of Darien for ship canal.

To enable the Secretary of the Treasury to collect reliable statistical information concerning the gold and silver mines of the Western States and Territories, which shall include the labor and capital employed, the product and the modes of working the same, and which information shall be reported to Congress, ten thousand dollars. Statistics of gold and silver mines of Western States and Territories.

Light-house Establishment. — For the Atlantic, Gulf, and Lake coasts, viz: Light-house establishment.

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, and repairing and keeping in repair the lighting apparatus, two hundred thousand two hundred and eighty-seven dollars.

For repairs and incidental expenses of improving and refitting the same, one hundred and eighty thousand dollars.

For salaries of five hundred and eighty-nine keepers of light-houses and lighted beacons, and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-three light-vessels, two hundred and forty-two thousand two hundred and thirty-nine dollars and fifty cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and sixty-two thousand three hundred and fifty dollars.

Consul at
Quebec.

For compensation to the consul at Quebec, in Canada, fifteen hundred dollars.

Light-houses,
&c. on the coasts
of California,
Oregon, and
Washington.

For the Coasts of California, Oregon, and Washington. — For supplying twenty light-houses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, and publishing notices to mariners of changes of aids to navigation, thirty-three thousand and thirty dollars.

For repairs and incidental expenses of twenty light-houses and buildings connected therewith, fifteen thousand dollars.

For salaries of forty-one keepers and assistant keepers of light-houses at an average not exceeding eight hundred dollars per annum, thirty-two thousand two hundred and fifty dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

Officers of
army on light-
house duty.

For fuel and quarters of officers of the army serving on light-house duty, the same not being provided for by the quartermaster's department, five thousand dollars.

Block Island
light-house.

For rebuilding Block Island light-house, near Rhode Island, upon a more eligible site, fifteen thousand dollars.

Light-house
on Race Rock.

For a new light-house on Race Rock, or on the southwest end of Fisher's Island, entrance to Long Island Sound, as may be approved by the light-house board, ninety thousand dollars.

Rebuilding
beacons.

For rebuilding the following beacons, which have been destroyed, viz: Norwalk beacon, Southport beacon, and Elbow beacon, twenty-four thousand dollars.

For rebuilding beacon-lights on the Breakwater at Plattsburg, New York, three thousand dollars.

Light-houses
and stations.

For a new light-house with suitable piers for protection at Rondout, New York, twenty-two thousand dollars.

For a new light-house with suitable piers of protection at Coxsackie, New York, twenty-two thousand dollars.

For repairs and renovations at Sandy Hook light station, New York, seven thousand one hundred dollars.

Life-boats,
stations, &c. for
preservation
from shipwreck.

To provide additional station-houses, life-boats, and other appliances for the better preservation of life and property from shipwreck along the coast of New Jersey, between Sandy Hook and Little Egg Harbor, ten thousand dollars.

Light-houses,
&c.

For repairing and relighting the light-house on Tucker's Beach, on the coast of New Jersey, five thousand dollars.

For repairs and renovations at Esopus, Four-mile Point, Beaver-tail, Passaic, Black Rock, and Great West Bay light-stations, five thousand one hundred dollars.

For additional appropriations for building a new first-class light at Asateague, Virginia, twenty-five thousand dollars.

For a new light-house at Bay Point, Port Royal entrance, South Carolina, fifty thousand dollars.

For building range-lights at St. Clair Flats, Lake St. Clair, sixty thousand dollars.

For the erection of a light-house at Beaver Bay on Lake Superior, fifteen thousand dollars: *Provided*, That the light-house board of the

Treasury Department, after due examination, shall deem that a light-house at that point is necessary. Light-houses, &c.

For building a new light-house at McGulpin's Point, near old Fort Mackinac, twenty thousand dollars.

For a beacon-light on the end of the pier at Chicago, three thousand dollars.

For a new light-house at Eagle Bluff, Wisconsin, twelve thousand dollars.

For repairs at Grand Island light-house, Lake Superior, seventeen thousand dollars.

For beacon-light at the entrance to Grand Island harbor, Lake Superior, ten thousand dollars.

For additional aids to navigation in Green Bay, Wisconsin, including a third-class light-house on Mah-no-mah or Chambers' Island, and beacon on Peshtego shoal, twenty-five thousand dollars.

For repairs to light-house at Huron Island, Lake Superior, seventeen thousand dollars.

For light-house and pier light at South Haven, in the State of Michigan, six thousand dollars.

For range-lights at Portage entry, Lake Superior, six thousand dollars.

For a light-house to mark the channel between Keewenaw Point and Manitou Island, Lake Superior, fifteen thousand dollars.

For new and efficient fog-signals at Mount Desert Island, Mantinicus, Seguin, Mankiegin, Moose Peak, Cape Elizabeth, Point Judith, Cooper Harbor, Detour, Fort Gratiot, Huron Island, Manitou, McGulpin's Point, Pottawatomie, Sand Point, Waugoshance, White Fish Point, and other light-stations, fifty-nine thousand five hundred dollars. Fog-signals.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars. Superintendents of life-saving stations.

For compensation of fifty-four keepers of stations at two hundred dollars each, ten thousand eight hundred dollars. Keepers of stations.

For a new light-house at Grand Point Aux Sables, Lake Michigan, thirty-five thousand dollars. Light-houses.

For a new light-house at the harbor of White River, Muskegon County, Michigan, ten thousand dollars.

For a new light-house at the harbor of Manistee, Manistee County, Michigan, ten thousand dollars: *Provided*, That no expenditure shall be made upon the aforesaid works at White River and Manistee, until a careful survey shall have been made and the character of the structure required shall have been thus determined, for which purpose the sum of one thousand dollars is hereby appropriated. Proviso.

For completion of pier of protection and repairing Waugoshance light-house at Straits of Mackinac, ninety thousand dollars.

For the establishment of beacon-lights to mark Brewerton Channel, Patapsco River, Maryland, thirty thousand dollars.

To enable the light-house board to re-establish lights and other aid to navigation on the southern coast, two hundred thousand dollars. Re-establishing lights on Southern coast.

To reimburse the appropriation for furnishing the President's house, the sum transferred from it by the accounting officers of the treasury, to settle another account of the commissioner of public buildings for annual repairs, four thousand dollars; and the avails of old furniture which may be sold shall be applied to the purchase of new furniture. Furnishing President's house.

To enable the commissioner of public buildings to put in thorough repair the bridge across the Potomac at Little Falls, in accordance with the estimate of the engineer, two thousand four hundred and ten dollars. Little Falls bridge.

To enable the Secretary of the Interior to pay the interest on sundry sums loaned for government purposes by the First National Bank at Washington, District of Columbia, the sum of five thousand six hundred and seventy dollars and twelve cents. Interest on sums loaned for government purposes.

Extra pay to
commissioner
and chief clerk
of general land
office.

For compensation to the commissioner and chief clerk of the general land office (to be apportioned by the Secretary of the Interior) in consideration of the increased duties devolving on them from June seventh, eighteen hundred and sixty-five, to December thirty-first, eighteen hundred and sixty-five, in connection with the census of eighteen hundred and sixty, seventeen hundred and fifty dollars.

Iron fences,
&c.

For painting iron fences, two thousand five hundred dollars.

For repairing gates to the iron fence enclosing Lafayette Square, five hundred dollars.

To repair and whitewash the wooden fences around the several reservations, one thousand dollars.

For repairing the arch on New Jersey Avenue below the coast survey building, one thousand dollars.

Water-pipes,
road drainage,
&c.

To repair or replace the water-pipes which convey the water from the spring in Franklin Square to the President's house, and to the Treasury, War, and Navy Departments, six thousand dollars.

For making the road from the President's stable to the house, fifteen hundred dollars.

For four new pave-washers on Pennsylvania Avenue, one thousand dollars.

To pay for drainage by pipes of the waste-water from the President's house, the cow-stable, cow-yard, and small greenhouse, one thousand two hundred and fifty dollars.

Botanic gar-
den.

For an iron fence around the botanic garden, fifteen thousand dollars.

Escutcheons
of West Virginia
and Nevada.

To cause to be painted in the square panels of glass, in the ceiling of the House of Representatives, the escutcheons of the States of West Virginia and Nevada, the sum of one hundred and thirty dollars.

Additional la-
borer in library
of Congress.

For compensation of one additional laborer hereby authorized to be appointed in the library of Congress, commencing July first, eighteen hundred and sixty-six, seven hundred and twenty dollars.

Warming
library.

For purchase of coal and pay of firemen to warm the library of Congress, two thousand two hundred and eighty dollars.

Transient
paupers

For care, support, and medical treatment of sixty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution by the commissioner of public buildings, twelve thousand dollars, or so much thereof as may be necessary.

Public
grounds.

For hire of carts on the public grounds, two thousand dollars.

For purchase and repair of tools used in the public grounds, four hundred dollars.

For purchase of trees and tree-boxes, to replace, when necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

Capitol water-
closets.

For annual repairs of the capitol water-closets, and to put the proper number of water-closets in the upper stories, public stables, water-pipes, pavements, and other walks within the Capitol Square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, in addition to the sale of old material, twelve thousand dollars.

Virginia
Avenue.
Water-pipes.

For grading and repairing Virginia Avenue, ten thousand dollars.

For keeping the spring and water-pipes which supply all the drinking water to the capitol in repair, and erecting a substantial wooden fence around the ground on which the spring at Smith's farm is, one thousand dollars.

Capitol exten-
sion.

For the capitol extension, two hundred thousand dollars. *

Fuel.
Lighting capi-
tol, &c.

For fuel, in part, for the President's house, five thousand dollars.

For lighting the capitol and President's house and public grounds around them, around the executive offices, and Pennsylvania Avenue, sixty thousand dollars.

For lighting Four-and-a-half Street across the Mall, and Maryland Avenue west, and Sixth Street south, fifteen thousand dollars: *Provided*, That the corporation of Washington city shall light their street lamps with seven-foot burners, twenty-one nights in each month, from dark until daylight, and that no part of this appropriation shall be disbursed until it is proved to the satisfaction of the commissioner of public buildings that said corporation have so lighted their street lamps.

Corporation of Washington, how to light street lamps.

For pay of lamp-lighters, gas-fitting, plumbing, lamp-posts, lanterns, glass, paints, matches, materials and repairs of all sorts, twenty thousand dollars.

Pay of lamp-lighters, &c.

For casual repairs of the Potomac, navy yard, and upper bridges, six thousand dollars.

Bridges.

For repairs of Pennsylvania Avenue, five thousand dollars.

Miscellaneous.

For public reservation number two and Lafayette Square, in addition to the sale of hay which may be raised on the former, three thousand dollars.

For purchase of fuel for the centre building of the capitol, fifteen hundred dollars.

For erecting a new draw in the navy yard bridge, five thousand dollars.

For taking care of the grounds south of the President's house, continuing the improvement of the same, and repairing fences, three thousand dollars.

For repairs of water-pipes, five hundred dollars.

For cleaning and repairing sewer traps on Pennsylvania Avenue, three hundred dollars.

For casual repairs of all the furnaces under the capitol, five hundred dollars.

For under-draining the President's garden and capitol grounds, one thousand dollars.

To enable the commissioner of public buildings to so grade a portion of North Capitol Street as to relay the water-pipes leading from the government spring to the capitol, sufficiently below the grade as to secure from frost, and to relay said pipes, eight thousand one hundred and forty dollars.

For hauling manure for top-dressing the public grounds, five hundred dollars.

For the protection and improvement of Franklin Square, fifteen hundred dollars.

For watchman for Franklin Square, six hundred dollars.

For the compensation of eight extra clerks in the office of Indian affairs, under the acts of August fifth, eighteen hundred and fifty-four, March third, eighteen hundred and fifty-five, and March third, eighteen hundred and sixty-five, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, eleven thousand two hundred dollars.

Extra clerks in office of Indian affairs.

1854, ch. 267.
Vol. x. p. 581.
1855, ch. 175, §22.
Vol. x. p. 673.
1865, ch. 127.
Vol. xiii. p. 557.

For the continuation of the work upon the north portico of the patent office building, of fifty thousand dollars.

Patent office.
Northeast executive building.

For additional contingent expenses of the northeast executive building, or the building occupied by the Secretary of State, including extra watchmen and laborers, six thousand dollars.

For salaries of commissioners under "An act to provide for the revision and consolidation of the statute laws of the United States," approved June twenty-seven, eighteen hundred and sixty-six, and for clerical services, and other incidental expenses, the printing to be done by the government printing office, twenty-five thousand dollars.

Commissioners to revise statutes.
1866, ch. 140.
Ante, p. 74.

For the payment of temporary clerks of the first class in the office of the commissioner of pensions, under the direction of the Secretary of the Interior for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, twenty-five thousand dollars.

Temporary clerks in pension office.

Rooms for pension office.

To enable the Secretary of the Interior, at his discretion, to rent such rooms in the vicinity of the department for the use of the pension office as may be deemed necessary for the transaction of the business of that office, three thousand dollars.

Site and building for government purposes at Saint Paul, Minnesota.

For the purchase of a site and the erection of a building at Saint Paul, Minnesota, for a custom-house, post office, the accommodation of the federal courts, and other necessary government purposes, the same to be expended under the direction of the Secretary of the Treasury, fifty thousand dollars.

Jail in District of Columbia.

Jail in the District of Columbia. — For the support and maintenance of the convicts transferred from the District of Columbia at such place or places as may be selected by the Secretary of the Interior, fifty thousand dollars.

For salary of warden of the jail in the District of Columbia, two thousand dollars for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, and the same is hereby authorized.

School-houses in Washington County.

For the payment in part for the purchase of sites and the erection of school-houses in the county of Washington, in the District of Columbia, payable to the board of commissioners of primary schools of said county, the sum of ten thousand dollars.

Columbia hospital.

For support of the Columbia Hospital for women and lying-in association, ten thousand dollars.

Revision of laws of District of Columbia. Vol. xiii. p. 409.

To enable the Secretary of the Treasury to pay the persons employed by the committees on the District of Columbia of the two houses of Congress, under the provisions of the joint resolution approved June eighteen, eighteen hundred and sixty-four, entitled "A resolution to provide for the revision of the laws of the District of Columbia," the compensation provided in said resolution, two thousand dollars, or so much thereof as may be necessary for that purpose.

Smithsonian Institution.

Smithsonian Institution. — For the preservation of the collections of the exploring and surveying expeditions of the government, four thousand dollars.

Washington aqueduct.

Washington Aqueduct. — To complete the dam in the Potomac River at the head of the aqueduct, from the shore to Conn's Island, with cut stone, fifty-one thousand six hundred and eighty-seven dollars.

To complete the connecting conduit around and outside the receiving reservoir, seventy thousand eight hundred and ninety-seven dollars.

To finish gate-house at Great Falls, four thousand dollars.

For temporary dam at Conn's Island, one thousand dollars.

For management, miscellaneous, and contingents, fifteen thousand dollars.

Government Hospital for the insane.

Government Hospital for the Insane. — For the support, clothing, and medical treatment of the insane of the army and navy and the revenue cutter service, and of the indigent insane of the District of Columbia, at the government hospital for the insane in said District, including five hundred dollars for books, stationery, and incidental expenses, ninety thousand five hundred dollars.

For finishing, furnishing, and lighting additional accommodations in the east wing, in part unfinished, five thousand dollars.

For continuation of the wall enclosing the grounds, ten thousand dollars.

For the purchase and fencing fifty-six and one half acres of meadow land, lying near the hospital, provided the Secretary of the Interior shall approve of the purchase in view of the price and quality of the land, and the necessity of adding it to the hospital farm, six thousand dollars.

Patent office.

Patent Office. — For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars.

For preparing illustrations and descriptions for the report of the commissioner of patents, six thousand dollars.

Columbian Institution for the Deaf and Dumb. — For the support of the institution, including five hundred dollars for books and illustrative apparatus, twenty thousand seven hundred dollars.

Columbian
Institution for
the Deaf and
Dumb.

For the erection, furnishing, and fitting up of two extensions to the buildings, to provide enlarged accommodations for the male and female pupils and the resident officers of the institution, thirty-two thousand two hundred and forty dollars.

For the erection of a brick barn, carriage-house, cow-house, shop, gas-house, and ice-house, fourteen thousand five hundred dollars.

For the improvement and enclosure of the grounds of the institution, including under-drainage and sewerage, four thousand five hundred dollars.

Providence Hospital, D. C. — For the purpose of aiding in the erection of an additional building to the Providence Hospital, in the city of Washington, thirty thousand dollars: *Provided*, That if the said property should ever be sold or diverted from the uses expressed in the act of Congress entitled "An act to incorporate Providence Hospital, of the city of Washington, District of Columbia," approved April eighth, eighteen hundred and sixty-four, then the sum of thirty thousand dollars shall be first paid out of the proceeds thereof into the United States treasury to reimburse the sum hereby appropriated.

Providence
Hospital.

Proviso.

1864, ch. 50.
Vol. xiii. p. 43.

For the "National association for the relief of destitute colored women and children," incorporated under an act of Congress approved February fourteenth, eighteen hundred and sixty-three, five thousand dollars, to be expended under the direction of the officers of the association.

Destitute colored
women and
children.

1863, ch. 33.
Vol. xii. p. 650.

To enable the commissioner of public buildings to reimburse the corporation of Washington for expenses incurred in improving streets and avenues passing through and by property of the general government, under the third section of the act approved May fifth, eighteen hundred and sixty-four, entitled "An act to incorporate the inhabitants of the city of Washington," passed May fifteenth, eighteen hundred and twenty, forty-seven thousand two hundred and fifty-five dollars and eighty-one cents.

Reimburse-
ment of Wash-
ington for expen-
ses for streets,
&c.

1864, ch. 81, § 3.
Vol. xiii. p. 69.

Congressional Library. — To complete the extension of the library of Congress, twenty-two thousand dollars.

Congressional
library.

For furniture for the two wings of the extension of the congressional library, and for sliding cases for illustrated books, ten thousand dollars.

For an additional appropriation, to be expended under the direction of the joint committee on the library, to decorate the capitol with such works of art as may be ordered and approved by said committee, as provided by act approved August eighteen, eighteen hundred and fifty-six, five thousand dollars.

Decoration of
capitol.

1856, ch. 129.
Vol. xi. p. 88

For additional compensation of three laborers employed in the congressional library, commencing January one, eighteen hundred and sixty-six, five hundred and forty dollars; and the compensation of said laborers is hereby fixed at seven hundred and twenty dollars per annum.

Pay of labor
ers.

For the purpose of erecting on the public land adjacent to the Treasury Department a fire-proof brick building to afford additional room for the Treasury Department, two hundred thousand dollars: *Provided*, That the Secretary of the Treasury be, and he hereby is, authorized to remove and sell at auction or otherwise any portion of the presses, machinery, and apparatus employed in the treasury buildings, which from the diminution of the volume of business or otherwise he may from time to time find to be no longer required. And the legal representatives of the corporation of Washington and Georgetown, and the portion of the county of Washington in the District of Columbia, not included in said corporations, be, and they are hereby, directed to provide and suitably furnish, without delay, a suitable room for the use of the orphan's court, and two contiguous rooms and a fire-proof vault for the use of the register of wills in and for said county; and for the repayment of the expense to be incurred in ex-

Fire-proof
building, for
treasury.

Presses, ma-
chinery, &c. in
treasury build-
ing may be sold
at auction.

Washington
and Georgetown
to provide, &c.
buildings for or-
phan's court,
and fire-proof
vault for register
of wills.

A tax to be levied therefor.

General post-office building.

Surveys of public lands in Minnesota;

Dakota;

Nebraska;

Kansas;

Colorado;

Nevada;

New Mexico;

California;

Oregon;

Washington;

Montana;

Indian reservations.

Collection of revenue from sales of public lands.

cuting this order, the said corporations of Washington and Georgetown, and the levy court of the county of Washington in the District of Columbia, are hereby authorized and directed to levy and collect a suitable tax upon the property embraced within their respective jurisdictions.

General Post-Office Building. — For completing the extension of the general post-office building, forty thousand dollars.

Surveying the Public Lands. — For surveying the public lands in Minnesota, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, twenty thousand dollars.

For surveying the public lands in Dakota Territory, at rates not exceeding ten dollars per lineal mile for standard lines, seven dollars for township, and six dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Nebraska Territory, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Kansas, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Colorado Territory, at rates not exceeding ten dollars per lineal mile for standard lines, eight dollars for township, and seven dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Nevada, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, fifteen thousand dollars.

For compensation of the surveyor-general of Nevada, three thousand dollars.

For compensation of the clerks in his office, five thousand dollars.

For office rent, messenger, furniture, books, fuel, stationery, and incidental expenses of office, three thousand dollars.

For surveying the public lands in New Mexico, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, five thousand dollars.

For surveying the public lands in California, at rates not exceeding fifteen [dollars] per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty-five thousand dollars.

For surveying the public lands in Oregon, at rates not exceeding fifteen dollars per lineal [mile] for standard lines, twelve dollars for township, and ten dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Washington Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, ten thousand dollars.

For surveying the public lands in Montana Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, ten dollars for township, and eight dollars for section lines, fifteen thousand dollars.

For compensation of the surveyor-general of Montana, three thousand dollars.

For compensation of clerks in his office, five thousand dollars.

For office rent, messengers, furniture, books, fuel, stationery, and incidental expenses of office, three thousand dollars.

For surveying Indian and other reservations, under treaty stipulations, at not exceeding fifteen dollars per mile, front boundaries, at ten dollars for township, and eight dollars per mile for section lines, fifty thousand dollars.

Expenses of Collection of Revenue from Sales of Public Lands. — For salaries and commissions of registers of land offices and receivers of public money, two hundred and six thousand one hundred dollars.

For incidental expenses of the several land offices, nineteen thousand four hundred dollars.

For necessary expenses incident to providing accommodations for internal revenue officers in existing United States fire-proof buildings, wherever possible, fifteen thousand dollars.

For the purchase, enclosure, and preservation of a parcel of ground at Des Moines, the capital of Iowa, as a site for the erection of a building for the use of the federal courts and for other federal offices, fifteen thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior.

Site for building for federal offices at Des Moines.

For the government building at Portland, Maine, used as post office, custom-house, and for the United States courts, lately destroyed or rendered almost worthless by fire, to repair or rebuild the same as may prove most advisable, one hundred and fifty thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Treasury.

Government building at Portland, Me.

For this amount to be paid under the direction of the Secretary of the Interior, to enable the Seminoles to occupy, restore, and improve their farms, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, thirty thousand dollars.

Seminole. Post, Treaties, p. 72.

For the purchase of agricultural implements, seeds, corn, and other stock, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, twenty thousand dollars.

For the erection of a mill, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, fifteen thousand dollars.

For interest on fifty thousand dollars from the date of the ratification of the treaty, at the rate of five per cent per annum, to be paid annually for the support of schools, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.

For interest on twenty thousand dollars from the date of the ratification of the treaty, at the rate of five per centum per annum, to be paid annually for the support of the Seminole government, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.

For this amount, to be expended for subsisting the Seminole Indians, as per third article treaty of March twenty-first, eighteen hundred and sixty-six, forty thousand three hundred and sixty-two dollars.

For this amount, or so much thereof as may be necessary, to pay the losses that may be awarded under the provisions of article fourth of treaty March twenty-first, eighteen hundred and sixty-six, as per third article of said treaty, fifty thousand dollars.

For this amount, or so much thereof as may be necessary, to pay the expenses of a board of commissioners, to be appointed by the Secretary of the Interior, to investigate the losses of the loyal Seminole Indians, as per fourth article treaty of March twenty-first, eighteen hundred and sixty-six, seven hundred and twenty dollars.

For the erection of agency buildings, as per sixth article of treaty of March twenty-first, eighteen hundred and sixty-six, ten thousand dollars.

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of each tribe to be taken, as per first clause seventh article treaty of March twenty-first, eighteen hundred and sixty-six, two thousand five hundred dollars.

For transportation of such articles as may be purchased under the direction of the Secretary of the Interior, for the Seminole Indians, under treaty of March twenty-first, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, twelve thousand dollars.

For this amount to be paid per capita in money, unless otherwise directed by the President, upon the ratification of the treaty, to enable the Indians to occupy, restore, and improve their farms; to pay the dam-

Creeks

Creeks.
Post, Treaties,
n. 103.

ages sustained by the mission schools; and to pay the delegates of the council as per third article treaty of June fourteenth, eighteen hundred and sixty-six, two hundred thousand dollars.

For interest on seven hundred and seventy-five thousand one hundred and sixty-eight dollars from the date of the ratification of the treaty at the rate of five per cent per annum to be expended under the direction of the Secretary of the Interior, as per third article treaty of June fourteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven.

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause the line dividing the Creek country as provided for by the terms of the sale of the Creek land to the United States in article third, as per eighth article treaty of June fourteenth, eighteen hundred and sixty-six, four thousand dollars.

For the erection of agency buildings, as per ninth article treaty of June fourteenth, eighteen hundred and sixty-six, ten thousand dollars.

For this amount, or so much thereof as may be necessary, to enable the Secretary of the Interior to cause a census of the Creeks to be taken, as per first clause, tenth article treaty of June fourteenth, eighteen hundred and sixty-six, two thousand five hundred dollars.

For this amount, or so much thereof as may be necessary, to pay the expenses incurred in negotiating treaty of June fourteenth, eighteen hundred and sixty-six, as per fourteenth article of said treaty, ten thousand dollars.

For transportation of such articles as may be purchased for the Creek nation of Indians under treaty of June fourteenth, eighteen hundred and sixty-six, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, or so much thereof as may be necessary, seven thousand dollars.

Office of
United States
depository at
Louisville;

SEC. 2. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed, viz:—

Office of the United States depository, Louisville:

For salary of cashier, one thousand eight hundred dollars.

For salary of book-keeper, one thousand five hundred dollars.

For salary of assistant cashier, one thousand three hundred and twenty dollars.

For salary of clerk, one thousand three hundred and twenty dollars.

For contingent expenses, six hundred and twenty-five dollars.

Chicago;

Office United States depository, Chicago:

For salary of cashier, one thousand six hundred dollars.

For salary of clerk, one thousand dollars.

For contingent expenses, four hundred dollars.

Pittsburg;

Office United States depository, Pittsburg:

For salary of cashier, one thousand five hundred dollars.

For salary of assistant cashier, one thousand dollars.

For salary of watchman, nine hundred dollars.

For contingent expenses, two hundred dollars.

Baltimore;

Office United States depository, Baltimore:

For salary of cashier, one thousand eight hundred dollars.

For salary of clerk, one thousand five hundred dollars.

For salary of clerk, one thousand two hundred dollars.

For salary of clerk, one thousand dollars.

For salary of clerk, twelve hundred dollars.

For salary of messenger, nine hundred dollars.

For contingent expenses, three hundred and sixty dollars.

San Fran-
cisco.

Office United States assistant treasurer, San Francisco:

For salary of cashier, two thousand five hundred dollars.

For salary of book-keeper, two thousand dollars.

Office United States depository, Cincinnati:

For salary of assistant cashier, one thousand five hundred dollars.

For salary of assistant cashier, one thousand two hundred dollars.

For salary of assistant cashier, one thousand dollars.

For salary of teller, one thousand three hundred dollars.

For salary of book-keeper, one thousand five hundred dollars.

For salary of two clerks, two thousand five hundred dollars.

For salary of clerk, one thousand two hundred dollars.

For contingent expenses, two thousand dollars.

Office United States depository at Cincinnati.

Portions of commutation fund appropriated to pay awards to loyal persons for services of colored volunteers or drafted men. 1864, ch. 13, § 24. Vol. xiii. p. 11.

Allegiance of claimant to government to be satisfactorily proved

No money to be paid until final report of commissioners.

Provision for pay of revenue agent at New York repealed.

1866, ch. 28. Ante, p. 22.

Deficiency for mail service for 1866.

Pay of watchmen in public buildings.

Increase of pay of metropolitan police force;

to be borne by Washington and Georgetown, and in what proportion. Special tax may be levied therefor.

That so much of any money in the treasury known as the "commutation fund" as may be necessary be, and the same is hereby, appropriated for the payment to loyal persons claiming service or labor from colored volunteers or drafted men, the amounts heretofore, or hereafter to be awarded them under the provisions of section twenty-fourth of the act entitled "An act to amend an act entitled an act for enrolling and calling out the national forces and for other purposes approved February twenty-fourth, eighteen hundred and sixty-four" for each person so claimed to be held to service or labor who has enlisted or been drafted into the military service of the United States; but such payment shall in no case be made to any person except upon satisfactory proof that the claimant has firmly and faithfully maintained his or her adherence and allegiance to the government of the United States, by defending its cause against the government and forces of the so-called confederate states of America, in all suitable and practicable ways, and according to his or her ability and opportunity: *Provided*, That no money shall be paid under the foregoing provision until the final report of the commissioners under the act aforesaid shall have been made on all the claims embraced in the twenty-fourth section of said act.

SEC. 3. *And be it further enacted*, That so much of "An act making additional appropriations, and to supply deficiencies in the appropriations, for sundry civil expenses of the government for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, and for other purposes," approved April seventh, eighteen hundred and sixty-six, as provides "for compensation of the revenue agent stationed at New York, in addition to the sum authorized by act of June thirtieth, eighteen hundred and sixty-five, including one thousand dollars for the current fiscal year, two thousand dollars," be, and the same are hereby, repealed.

SEC. 4. *And be it further enacted*, That nine hundred and twenty-five thousand dollars, or so much thereof as shall be necessary, is hereby appropriated out of the revenues of the Post Office Department, to supply the deficiency for the mail service for the fiscal year ending June thirtieth, eighteen hundred and sixty-six.

SEC. 5. *And be it further enacted*, That each watchman in the public buildings and grounds under the commissioner of public buildings, whose pay is less than one thousand dollars a year, shall, from the first day of July, eighteen hundred and sixty-six, receive a compensation of nine hundred dollars per annum.

SEC. 6. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-six, the compensation of the metropolitan police force of the District of Columbia be, and the same is hereby, increased as follows, viz: Twenty dollars per month, and the necessary sum required is hereby appropriated; also, an additional increase of ten dollars a month, said additional increase to be borne by the cities of Washington and Georgetown, and the county of Washington, in the District of Columbia, in the proportion equal to the number of patrolmen allotted severally to the city of Washington, to the city of Georgetown, and county of Washington outside of the corporate limits; and the cities of Washington and Georgetown, and the levy court of said county, be, and they are hereby, authorized and empowered to levy a special

Property saved from rebel steamer Florida may be sold, and proceeds distributed.

Midshipmen, &c. entitled to one ration, &c.

Appropriation for minister resident in Greece repealed.

1863, ch. 79.
Vol. xii. p. 752.

Travelling expenses of first Michigan cavalry.

Judicial powers extended to American consuls, &c. in Egypt.

1860, ch. 179,
§ 22.
Vol. xii. p. 76.
Consul-general at Alexandria.

Additional bounty of \$ 100 to certain enlisted soldiers, honorably discharged;

or their widows, minor children, or parents.

Additional bounty of \$ 50 to certain enlisted soldiers, &c.

tax not exceeding one quarter of one per centum for the purpose aforesaid, and for no other purpose whatsoever.

SEC. 7. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to dispose of the property saved from the rebel steamer Florida, and distribute the proceeds thereof as other prize money is required by law to be distributed.

SEC. 8. *And be it further enacted*, That midshipmen and acting midshipmen in the navy of the United States shall be entitled to one ration, or commutation therefor.

SEC. 9. *And be it further enacted*, That so much of the act approved March third, eighteen hundred and sixty-three, entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth of June, eighteen hundred and sixty-three, and for other purposes," as appropriates three thousand seven hundred and fifty dollars for a minister resident in Greece, be and the same is hereby repealed.

SEC. 10. *And be it further enacted*, That there is hereby appropriated for the payment of travelling expenses of the members of the first regiment of Michigan cavalry from the place, in Utah Territory, where they were mustered out of service, in the year eighteen hundred and sixty-six, to the place of their enrolment, a sum sufficient to allow each member three hundred and twenty-five dollars, deducting therefrom the amount paid to each for commutation of travel, pay, and subsistence by the government, when thus mustered out, and that the accounts be settled and paid under the direction of the Secretary of War.

SEC. 11. *And be it further enacted*, That the provisions of the act to carry into effect the treaties between the United States and China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States, in those countries, and for other purposes, approved, June twenty-second, eighteen hundred and sixty, shall extend to Egypt; and the consul-general at Alexandria shall have the power provided by section twenty-two of such act for the consul-general or consul residing at the capital of a country where there is no minister.

SEC. 12. *And be it further enacted*, That each and every soldier who enlisted into the army of the United States, after the nineteenth day of April, eighteen hundred and sixty-one, for a period of not less than three years, and having served the time of his enlistment has been honorably discharged, and who has received or who is entitled to receive from the United States under existing laws, a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children or parents in the order named, of any such soldier who died in the service of the United States or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of one hundred dollars hereby authorized.

SEC. 13. *And be it further enacted*, That to each and every soldier who enlisted into the army of the United States, after the fourteenth day of April, eighteen hundred and sixty-one, for a period of not less than two years and who is not included in the foregoing section, and has been honorably discharged after serving two years, and who has received or is entitled to receive from the United States, under existing laws, a bounty of one hundred dollars and no more, shall be paid an additional bounty of fifty dollars, and any such soldier enlisted for not less than two years who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States,

or of disease, or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of fifty dollars hereby authorized.

SEC. 14. *And be it further enacted*, That any soldier who shall have bartered, sold, assigned, transferred, loaned, exchanged, or given away his final discharge papers, or any interest in the bounty provided by this or any other act of Congress, shall not be entitled to receive any additional bounty whatever; and when application is made by any soldier for said bounty, he shall be required, under the pains and penalties of perjury, to make oath or affirmation of his identity, and that he has not so bartered, sold, assigned, transferred, exchanged, loaned, or given away either his discharge papers, or any interest in any bounty as aforesaid. And no claim for such bounty shall be entertained by the paymaster-general, or other accounting or disbursing officer except upon receipt of the claimant's discharge papers, accompanied by the statement under oath, as by this section provided.

Soldiers who have sold, assigned, loaned, &c. their discharge papers, not entitled to the bounty.

Soldier applying for bounty to make oath.

Claim not to be entertained, except, &c.

SEC. 15. *And be it further enacted*, That in the payment of the additional bounty herein provided for, it shall be the duty of the paymaster-general, under such rules and regulations as may be prescribed by the Secretary of War, to cause to be examined the accounts of each and every soldier who makes application therefor, and if found entitled thereto shall pay said bounties.

Paymaster-general to examine accounts of soldiers making application for bounties, &c.

SEC. 16. *And be it further enacted*, That in the reception, examination, settlement, and payment of claims for said additional bounty due the widows or heirs of deceased soldiers, the accounting officers of the treasury shall be governed by the restrictions prescribed for the paymaster-general by the Secretary of War, and the payment shall be made in like manner under the direction of the Secretary of the Treasury.

Rules for accounting officers in paying claims of widows, &c. for additional bounty.

SEC. 17. *And be it further enacted*, That the compensation of each senator, representative, and delegate in Congress shall be five thousand dollars per annum, to be computed from the first day of the present Congress, and in addition thereto mileage at the rate of twenty cents per mile, to be estimated by the nearest route usually travelled in going to and returning from each regular session; but nothing herein contained shall affect mileage accounts already accrued under existing laws: *Provided*, That hereafter mileage accounts of senators shall be certified by the president of the Senate, and those of representatives and delegates by the speaker of the House of Representatives: *And provided further*, That the pay of the speaker shall be eight thousand dollars per annum.

Pay and mileage of senators, representatives, and delegates in Congress.

Accrued mileage accounts not affected.

Mileage accounts, how to be certified.

Pay of speaker.

SEC. 18. *And be it further enacted*, That there be allowed and paid to the officers, clerks, committee clerks, messengers, and all other employes of the Senate and House of Representatives, and to the Globe and official reporters of each house, and the stenographer of the House, and to the capitol police, and the three superintendents of the public gardens, their clerks and assistants, and to the librarian, assistant librarians, messengers, and other employes of the congressional library, an addition of twenty per cent on their present pay, to commence with the present Congress; and the amount necessary to pay this allowance is hereby appropriated out of any money in the treasury not otherwise appropriated.

Twenty per cent additional pay to officers, clerks, reporters, &c. of Senate and House of Representatives, and librarian, &c. of congressional library.

SEC. 19. *And be it further enacted*, That the sum of eight thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated for the preservation of the harbor of Provincetown, Massachusetts, the same to be expended under the supervision of a commission or board of officers to be appointed by the Secretary of War.

Preservation of harbor of Provincetown, Mass.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCXCVII. — *An Act to supply Deficiencies in the Appropriations for the Service of the Fiscal Year ending June thirty, eighteen hundred and sixty-six, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, out of any money in the treasury not otherwise appropriated.

Deficiencies
appropriations
for 1866.

Executive.

Executive. — For contingent expenses of the executive office, including stationery thereof, four thousand dollars.

Treasury De-
partment.
Office of 1st
comptroller;
comptroller
of currency.

Treasury Department. — Office of the first comptroller:

For the employment of temporary clerks in said office, two thousand five hundred dollars.

Office of comptroller of the currency:

For compensation of the comptroller, deputy comptroller, clerks, messengers, and laborers, thirty thousand dollars.

Light-house
board.

Light-House Board. — For contingent expenses, viz: For stationery, miscellaneous expenses, and postage, and renewing furniture and cases in the office, one thousand dollars.

Stationery.

For stationery for the Treasury Department and its various bureaus, twenty thousand dollars.

Southeast
executive build-
ing.

For southeast executive building, including the extension, viz:

For contingent expenses, viz: For fuel, labor, light, and miscellaneous items, twenty thousand dollars.

For rent of buildings for the accommodation of clerks who cannot be accommodated in the treasury building, five thousand dollars.

Department of
Interior.
Assistant
secretary.
Biennial Regis-
ter.

Department of the Interior. — For additional compensation for the assistant secretary, five hundred dollars.

For compiling and supervising the Biennial Register, five hundred dollars.

Post Office De-
partment.

Post Office Department. — For additional compensation to three assistant postmasters general, at five hundred dollars each, fifteen hundred dollars.

Additional pay
of assistant post-
masters general.
Pay of ad-
ditional clerks.
1866, ch. 10.
Ante, p. 3.

For compensation of the additional clerks in the Post Office Department, authorized to be appointed by act of Congress approved February sixteenth, eighteen hundred and sixty-six, forty-four thousand two hundred dollars, for the fiscal year ending June thirtieth eighteen hundred and sixty-seven.

Contingent
expenses.

For contingent expenses, five thousand dollars.

Twenty per
cent additional
to female clerks.
1864, ch. 147, § 3.
Vol. xiii. p. 160.
Female folders
in dead-letter
office to have
\$50 a month.

For twenty per centum additional to the salaries of female clerks employed in the Post Office Department, as per act of June twenty-fifth, eighteen hundred and sixty-four, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, four thousand dollars: *Provided*, That from and after June thirtieth, eighteen hundred and sixty-six, the regular compensation of the female folders in the dead-letter office shall be at the rate of fifty dollars per month.

Twenty per
cent additional
to laborers.

For twenty per centum additional to the salaries of the laborers employed in the Post Office Department, and paid from the contingent fund, for the fiscal year ending June thirtieth, eighteen hundred and sixty-six, two thousand and forty dollars.

District attor-
neys.

District Attorneys. — For compensation of attorney for the eastern district of New York, from March twenty-second, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, two hundred and fifty-five dollars and fifty cents.

Mail steamship
service with
Brazil.

For mail steamship service between the United States and Brazil, from November first, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, one hundred thousand dollars, or so much thereof as may be due.

Watchmen for
dome of capitol.

For compensation of three watchmen for the dome of the capitol, at

seven hundred and twenty dollars each, for the fiscal year ending June thirty, eighteen hundred and sixty-seven, twenty-one hundred and sixty dollars.

For navy hospital at Washington, District of Columbia, thirty thousand dollars.

Navy hospital at Washington.

The compensation of the deputy solicitor of the court of claims shall be, from and after June thirty, eighteen hundred and sixty-six, three thousand and five hundred dollars, payable quarterly out of any money in the treasury not otherwise appropriated.

Compensation of deputy solicitor of court of claims established.

General Land Office.—To supply the deficiency for salaries and commissions of registers and receivers of the district land offices for the year ending June thirtieth, eighteen hundred and sixty-six, forty thousand dollars.

General land office.

For salary of marshal of the eastern district of New York from March twenty-second, eighteen hundred and sixty-five, to June thirtieth, eighteen hundred and sixty-six, two hundred and fifty-five dollars and fifty-five cents.

Marshal of eastern district of New York.

Public Buildings and Grounds.—To complete the sewer through the botanic garden, fifteen thousand dollars: *Provided*, That the commissioner of public buildings shall advertise for two weeks for sealed proposals for the performance of such work and the furnishing of materials therefor in the two newspapers in the city of Washington authorized to publish the official advertisements, and at the expiration of such time, on a day to be specified in such advertisement, the proposals shall be opened by the commissioner of public buildings in the presence of the Secretary of the Interior, and the work shall be then let to the person who shall have offered to do the same and furnish the materials at the lowest rates and aggregate, and who shall give proper security for the performance of his contract; and the commissioner of public buildings is hereby required to report to Congress at the commencement of the next session a full statement of the expenditure of the present and past appropriations for this work, with the rates that have been paid for work and materials under each appropriation.

Public buildings and grounds.
Sewer through botanic garden.
Proposals to be advertised for.

Work to be let to lowest bidder, &c.

Report to Congress of appropriations, &c. for this work.

To enable the commissioner of public buildings to reconstruct the lower water-closets of the supreme court room, to place marble around the furnace register, by way of protection, and to make such other improvements as the chief justice of the court may desire, one thousand five hundred dollars.

Lower water-closets of supreme court room, &c.

To repair the planking and for other repairs to Long Bridge, over the Potomac, three thousand dollars.

Long Bridge.

For iron seats for the public grounds, one thousand dollars.

Public grounds.
President's house.

To enable the commissioner of public buildings to make such alterations in the arrangement of the business offices in the President's house as the President may desire, two thousand dollars.

For repair of one of the greenhouses at the President's, five hundred dollars.

For annual repairs of the President's house, six thousand dollars, for the year ending June thirtieth, eighteen hundred and sixty-seven.

To complete the repairing and furnishing of the President's house, twenty thousand dollars.

To meet a deficiency in lighting Bridge and High streets, Georgetown, for the three months of the last fiscal year, eleven hundred dollars.

Lighting streets.

To so alter the roof-gutters at the President's house as to prevent injury by overflow of water, three thousand dollars.

For the additional twenty per centum compensation to the messenger of the court of claims from January twenty-ninth to June thirtieth, eighteen hundred and sixty-six, sixty-seven dollars and twenty cents.

Twenty per cent to messenger of court of claims.

To ventilate the bath-room of the House of Representatives, two hundred dollars.

Bath-room of House of Representatives.

Pennsylvania
bank building.

To alter and repair the building in the city of Philadelphia belonging to the United States, known as the Pennsylvania bank building, so as to render it suitable for the occupancy of the appraisers connected with the customs at Philadelphia, under the direction of the Secretary of the Treasury, twenty thousand dollars.

Indian
department.
Miscellaneous.
Indian service
in Nevada.

Indian Department. — Miscellaneous. — For the general incidental expenses of Indian service in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars; of which amount the sum of nine thousand seven hundred and twenty-three dollars shall be paid to James W. Nye, late governor and superintendent of Indian affairs for Nevada, for balance found due him.

Payment to
James W. Nye.

Statutes at
large.

For additional compensation to the publishers of the statutes at large, twenty-four hundred and fifty-seven dollars and twenty-one cents.

Edward Jar-
vis, for digest of
facts as to mor-
tality and dis-
eases, in census
of 1860.

To pay the salary of Edward Jarvis, from January first, eighteen hundred and sixty-five, to May thirty-first, eighteen hundred and sixty-five, for digesting the facts as to mortality and diseases, collected by the census marshals in eighteen hundred and sixty, seven hundred and fifty dollars.

Office of Sec-
retary of State.

To enable the Secretary of State to remove his office and contents, twenty-five thousand dollars, in addition to the sum heretofore appropriated.

Pay of tempo-
rary clerks in
quartermaster-
general's office
made equal to
that of first-class
clerks.

To enable the Secretary of War to make the pay of the persons employed at any time during the last fiscal year as temporary clerks in the office of the quartermaster-general, or any division thereof, equal to the pay of first-class clerks, which is hereby directed, such sum as may be necessary for this purpose.

Expenses of
delegation of
Southern Chero-
kees.

To enable the Secretary of the Interior to pay the reasonable costs and expenses actually paid or incurred by the delegates of the Southern Cherokees in coming to and going from Washington, and during their stay in and about the negotiation upon the formation of treaties of peace and amity with the Indian tribes, a sum not exceeding ten thousand dollars: *Provided*, That said sum shall be refunded to the treasury from the proceeds of the sales of the Cherokee neutral lands in Kansas.

Sum to be
refunded from
sales of lands.

Increased pay
of judges of
supreme court
of District of
Columbia.

1866, ch. 103, § 2.
Ante, p. 55.

SEC. 2. *And be it further enacted*, That for increased compensation of the chief justice and associate justices of the supreme court of the District of Columbia, authorized by the second section of the act of June first, eighteen hundred and sixty-six, from the first day of June, eighteen hundred and sixty-six, to the thirtieth day of June, eighteen hundred and sixty-six, the sum of three hundred and seventy-four dollars and sixty-five cents is hereby appropriated.

Quieting title
to occupants of
certain lands
conveyed by the
United States.
Vol. vii. p. 190.

SEC. 3. *And be it further enacted*, That the sum of thirty-two thousand dollars be, and is hereby, appropriated to enable the Secretary of the Interior to quiet the title of the occupants of the following lands, conveyed by the United States to Joseph Richardville, senior, and Joseph Richardville, junior, by treaty at Saint Mary's, October sixth, eighteen hundred and eighteen, to wit: The west half of section number twenty-six (26), the east half of section number twenty-eight (28), and section number twenty-seven (27), of township five south, range four east, lying in the county of Auglaize and State of Ohio.

Construction of
1865, ch. 78, § 4.
Vol. xiii. p. 483.

SEC. 4. *And be it further enacted*, That whereas doubts have arisen whether the fourth section of the act approved March third, eighteen hundred and sixty-five, entitled, "An act to amend an act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, authorized disbursing agents to disburse other moneys than those appropriated in the said fourth section: therefore, for the purpose of removing such doubts and declaring the true intent and meaning

of said fourth [section], the said fourth section shall be deemed, held, and construed as being and remaining in full force and effect from and after the third day of March, eighteen hundred and sixty-five, until the same shall have been modified or repealed, and as authorizing the disbursement through such agents of moneys heretofore appropriated, and that may hereafter be appropriated, for the payment of the lawful expenses incident to carrying into effect the various acts relative to the assessment and collection of the internal revenues; and all bonds and obligations heretofore entered into by collectors of internal revenue as disbursing agents shall be binding and obligatory upon such collectors and their sureties, as well in respect to moneys which have been or may hereafter be received by said collectors as such disbursing agents as to moneys appropriated in the said fourth section.

Collectors of internal revenue acting as disbursing agents, to disburse what moneys.

SEC. 5. *And be it further enacted*, That the capitol police and two policemen at the executive mansion shall be entitled to the increased compensation allowed by law to officers, clerks, messengers, and others in the employ of the House of Representatives.

Increased pay to capitol police.

SEC. 6. *And be it further enacted*, That the following sums be appropriated out of any money in the treasury not otherwise appropriated, viz :

Appropriation for depositary at Santa Fe.

For compensation of the depositary at Santa Fe, New Mexico, per act of March third, eighteen hundred and sixty-three, one thousand dollars.

For salaries of additional clerks and additional compensation of officers and clerks, under act of August sixth, eighteen hundred and forty-six, at such rates as the Secretary of the Treasury may deem just and reasonable, ten thousand dollars.

Additional clerks, &c. 1846, ch. 90. Vol. ix. p. 59.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, per acts December fourteenth, eighteen hundred and fifty-four, and August eighteenth, eighteen hundred and fifty-six, two thousand five hundred dollars.

Life-saving stations. 1855, ch. 1. Vol. x. p. 597. 1856, ch. 160. Vol. xi. p. 95.

For compensation of fifty-four keepers of stations, per same acts, six thousand dollars.

For salary of the superintendent of the building occupied by the quartermaster-general's office, two hundred dollars for the current fiscal year.

Quartermaster-general's office.

For contingent expenses of the Senate, viz :

For the Senate folding-room, six thousand dollars.

Contingent expenses of the Senate.

For additional messengers during the session, five thousand dollars.

SEC. 7. *And be it further enacted*, That the Secretary of War be directed to cause estimates to be made for the erection of suitable fire-proof buildings for the War Department in Washington, stating the location and price of the land, and plans and cost of necessary buildings, to be reported at the next session of Congress.

Estimates for fire-proof buildings for War Department.

SEC. 8. *And be it further enacted*, That section four of the act entitled "An act to provide for the payment of horses and other property lost or destroyed in the service of the United States," approved March three, eighteen hundred and forty-nine, be amended by striking out all after the enacting clause, and in lieu thereof inserting the words: "That the said auditor shall, in all cases, transmit his adjustment, with all the papers relating thereto, to the second comptroller, for his revision and decision thereon, the same in all respects as is provided in the act of the second of September, eighteen [seventeen] hundred and eighty-nine."

Amendment of 1849, ch. 129, § 4 Vol. ix. p. 415. 1789, ch. 12. Vol. i. p. 65.

SEC. 9. *And be it further enacted*, That the sum of five thousand dollars be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to defray the expense of continuing the index to Senate list of private claims down to the present Congress, in pursuance of the order of the Senate, dated March sixteen, eighteen hundred and sixty-six.

Index to Senate list of private claims.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCXCVIII. — *An Act to protect the Revenue, and for other Purposes.*

Duties in lieu
of former duties,
from August 10,
1866, upon

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the tenth day of August, eighteen hundred and sixty-six, in lieu of the duties now imposed by law on the articles mentioned and embraced in this section, there shall be levied, collected, and paid, on all goods, wares, and merchandise imported from foreign countries, the duties *heretofore* [hereinafter] provided, viz :

Cigars, cigar-
ettes, and che-
roots.

On cigars, cigarettes, and cheroots of all kinds, three dollars per pound, and, in addition thereto, fifty per centum ad valorem : *Provided*, that paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are herein imposed upon cigars : *And provided further*, That on and after the first day of August, eighteen hundred and sixty-six, no cigars shall be imported unless the same are packed in boxes of not more than five hundred cigars in each box ; and no entry of any imported cigars shall be allowed of less quantity than three thousand in a single package ; and all cigars on importation shall be placed in public store or bonded warehouse, and shall not be removed therefrom until the same shall have been inspected and a stamp affixed to each box indicating such inspection, with the date thereof. And the Secretary of the Treasury is hereby authorized to provide the requisite stamps, and to make all necessary regulations for carrying the above provisions of law into effect ;

Imported
cigars, how to be
packed ;
how to be en-
tered, and where
placed ;
to be stamped.

Stamps to be
provided.

On cotton, three cents per pound ;

Cotton.

Compounds
or preparations
of distilled spir-
its.

On all compounds or preparations of which distilled spirits is a component part of chief value, there shall be levied a duty not less than that imposed upon distilled spirits : *Provided*, That brandy and other spirituous liquors may be imported in casks or other packages of any capacity not less than thirty gallons ; and that wine in bottles may be imported in boxes containing not less than one dozen bottles of not more than one quart each ; and wine, brandy, or other spirituous liquor imported into the United States, and shipped after the first day of October, eighteen hundred and sixty-six, in any less quantity than herein provided for, shall be forfeited to the United States.

Brandy, spirit-
uous liquors, and
wines how to be
imported ;

if in less quan-
tities after Octo-
ber 1, 1866, to be
forfeited.

Vessels be-
tween the
United States
and Sandwich
Islands, &c. not
to pay tonnage
duty more than
once a year.

1865, ch. 80.
Vol. xiii. p. 493.

Gnano, ex-
portation of cer-
tain.

1856, ch. 164.
Vol. xi. p. 119.

Fishing boun-
ties repealed.

Duties may be
remitted on salt
used in curing
fish.

Goods arriving
at designated
ports, destined
for places in
adjacent provin-
ces, &c. may be
re-
cc.

SEC. 2. *And be it further enacted*, That the second proviso in section four of an act entitled "An act amendatory of certain acts imposing duties upon foreign importations," approved March three, eighteen hundred and sixty-five, shall be construed to include any ship, vessel, or steamer to or from any port in the Sandwich Islands or Society Islands.

SEC. 3. *And be it further enacted*, That so much of an act entitled "An act to authorize protection to be given to citizens of the United States who may discover deposits of guano," approved August eighteen, eighteen hundred and fifty-six, as prohibits the export thereof, is hereby suspended in relation to all persons who have complied with the provisions of section second of said act, for five years from and after the fourteenth day of July, eighteen hundred and sixty-seven.

SEC. 4. *And be it further enacted*, That all laws and parts of laws allowing fishing bounties to vessels hereafter licensed to engage in the fisheries be, and the same are hereby, repealed : *Provided*, That, from and after the date of the passage of [t]his act, vessels licensed to engage in the fisheries may take on board imported salt in bond to be used in curing fish, under such regulations as the Secretary of the Treasury shall prescribe, and upon proof that said salt has been used in curing fish, the duties on the same shall be remitted.

SEC. 5. *And be it further enacted*, That, from and after the passage of this act, all goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, or any other port of the United States which may be specially designated by the Secretary of the Treasury, and destined for places in the adjacent British provinces, or arriving at the port of Point Isabel, Texas, or any other port of the United States which

may be specially designated by the Secretary of the Treasury, and destined for places in the republic of Mexico, may be entered at the custom-house, and conveyed, in transit, through the territory of the United States, without the payment of duties, under such rules, regulations, and conditions for the protection of the revenue as the Secretary of the Treasury may prescribe.

SEC. 6. *And be it further enacted*, That imported goods, wares, or merchandise in bond, or duty paid, and products or manufactures of the United States, may, with the consent of the proper authorities of the provinces or republic aforesaid, be transported from one port or place in the United States to another port or place therein, over the territory of said provinces or republic, by such routes, and under such rules, regulations and conditions as the Secretary of the Treasury may prescribe; and the goods, wares, and merchandise, so transported, shall, upon arrival in the United States from the provinces or republic aforesaid, be treated in regard to the liability to or exemption from duty, or tax, as if the transportation had taken place entirely within the limits of the United States.

Goods, with consent of authorities of provinces, &c. may be carried across their territory from one place to another in the United States.

SEC. 7. *And be it further enacted*, That whenever it shall be shown to the satisfaction of the Secretary of the Treasury that more moneys have been paid to the collector of customs, or others acting as such, than the law requires, and the parties have failed to comply with the requirements of the fourteenth and fifteenth sections of the act entitled "An act to increase the duties on imports, and for other purposes," approved June thirtieth, eighteen hundred and sixty-four, and the Secretary of the Treasury shall be satisfied that said non-compliance with the requirements as above stated was owing to circumstances beyond the control of the importer, consignee, or agent making such payments, he may draw his warrant upon the treasurer in favor of the person or persons entitled to the overpayment, directing the said treasurer to refund the same out of any money in the treasury not otherwise appropriated.

Excess of moneys paid for duties, when may be refunded, without compliance with certain forms of law.

1864, ch. 171, §§ 14, 15.
Vol. xiii. p. 214.

SEC. 8. *And be it further enacted*, That the provisions of the second, third, and fourth sections of the act approved March second, eighteen hundred and thirty-three, entitled "An act further to provide for the collection of duties on imports," and of the twelfth section of the act approved March third, eighteen hundred and sixty-three, entitled "An act to prevent and punish frauds upon the revenue, to provide for the more certain and speedy collection of claims in favor of the United States, and for other purposes," shall be taken and deemed as extending to and embracing all cases arising or which may have heretofore arisen, and all suits and prosecutions heretofore brought and now pending, or which may hereafter be brought against any officer of the United States or other person by reason of any acts done or proceedings had by such officer or other person, under authority or color of the act approved March twelve, eighteen hundred and sixty-three, entitled "An act to provide for the collection of abandoned property, and for the prevention of frauds in insurrectionary districts within the United States," or the act approved July two, eighteen hundred and sixty-four, entitled "An act in addition to the several acts concerning commercial intercourse between loyal and insurrectionary States, and to provide for the collection of captured and abandoned property, and the prevention of frauds in States declared in insurrection": *Provided*, That such acts done or proceedings had under the two acts last aforesaid, or under color thereof, shall have been done and had under the authority or by the direction of the executive government of the United States: *And provided further*, That when a recovery shall have been, or shall hereafter be, had in any such suit or prosecution brought, or which may hereafter be brought, as aforesaid, the payment of the amount recovered, as provided for in the said twelfth section of the act approved March third, eighteen hundred and sixty-three, aforesaid, shall be made out of the moneys arising and obtained from the proceeds of sales and

The protection given to revenue officers extends to persons acting by direction of the executive under the laws for the collection of abandoned property, &c.

1833, ch. 57, §§ 3, 4.
Vol. iv. p. 632.
1863, ch. 120, § 12.
Vol. xii. p. 820.
1863, ch. 120.
Vol. xii. p. 820.
1864, ch. 225.
Vol. xiii. p. 375

Amounts recovered in suits against such officers, to be paid out of proceeds of sales and leases, &c.

leases and fees collected and paid over to the government under the two acts approved March twelve, eighteen hundred and sixty-three, and July second, eighteen hundred and sixty-four, aforesaid, in relation to captured and abandoned property.

Dutiable value of imported merchandise, how to be determined.

SEC. 9. *And be it further enacted*, That in determining the dutiable value of merchandise hereafter imported, there shall be added to the cost, or to the actual wholesale price or general market value at the time of exportation in the principal markets of the country from whence the same shall have been imported into the United States, the cost of transportation, shipment, and transshipment, with all the expenses included from the place of growth, production, or manufacture, whether by land or water, to the vessel in which shipment is made to the United States; the value of the sack, box, or covering of any kind in which such goods are contained; commission at the usual rates, but in no case less than two and a half per centum; brokerage, export duty, and all other actual or usual charges for putting up, preparing, and packing for transportation or shipment. And all charges of a general character incurred in the purchase of a general invoice shall be distributed pro rata among all parts of such invoice; and every part thereof charged with duties based on value shall be advanced according to its proportion, and all wines or other articles paying specific duty by grades shall be graded and pay duty according to the actual value so determined: *Provided*, That all additions made to the entered value of merchandise for charges shall be regarded as part of the actual value of such merchandise, and if such addition shall exceed by ten per centum the value so declared in the entry, in addition to the duties imposed by law, there shall be levied, collected, and paid a duty of twenty per centum on such value: *Provided*, That the duty shall in no case be assessed upon an amount less than the invoice or entered value: *Provided further*, That nothing herein contained shall apply to long-combing or carpet wools costing twelve cents or less per pound, unless the charges so added shall carry the cost above twelve cents per pound, in which case, one cent per pound duty shall be added.

Additions to entered value to be part of actual value;

if over ten per cent, what duty to be paid.

Duty never on less than invoice value.

This not to apply to certain wools, unless, &c.

Proceeds of goods sold, after remaining three years in public store, less expenses, &c. to be paid owner, &c.

1862, ch. 163,

§ 21.

Vol. xii. p. 560.

1846, ch. 84, § 1.

Vol. ix. p. 53.

Machinery to make sugar from beets may be duty free for one year.

SEC. 10. *And be it further enacted*, That the second proviso in section twenty-one of an act entitled "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, which provides that any goods remaining in public store or bonded warehouse beyond three years shall be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the treasury, be, and the same is hereby, amended so as to authorize the Secretary of the Treasury, in case of any sale under the said provision, to pay to the owner, consignee, or agent of such goods, the proceeds thereof, after deducting duties, charges, and expenses, in conformity with the provision of the first section of the warehouse act of August six, eighteen hundred and forty-six.

SEC. 11. *And be it further enacted*, That during [the] period of one year from the passage of this act, there may be imported into the United States, free of duty, any machinery designed solely for and adapted to the manufacture of sugar from beets, including all the preliminary processes requisite therefor, but not including any machinery which may be used for any other manufactures.

Upon reimportation of products of the United States that have not paid an internal tax, a duty shall be imposed equal to such tax.

SEC. 12. *And be it further enacted*, That upon the reimportation of articles once exported of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid, or upon which such tax has been paid and refunded by allowance or drawback, there shall be levied, collected, and paid a duty equal to the tax imposed by the internal revenue laws upon such articles.

SEC. 13. *And be it further enacted*, That there shall be established in and attached to the department of the treasury a bureau to be styled "the

bureau of statistics," and the Secretary of the Treasury is hereby authorized to appoint a director to superintend and control the business of said bureau, who shall be paid an annual salary of thirty-five hundred dollars. And it shall be the duty of the director of the bureau of statistics to prepare the report on the statistics of commerce and navigation, exports and imports, now required by law to be submitted annually to Congress by the Secretary of the Treasury; and said report, embracing the returns of the commerce and navigation, the exports and imports of the United States to the close of the fiscal year, shall be submitted to Congress in a printed form on or before the first day of December next succeeding; and the said director, as soon as practicable after the organization of this office shall, under the direction of the Secretary of the Treasury, prepare and publish monthly reports of the exports and imports of the United States, including the quantities and values of goods warehoused or withdrawn from warehouse, and such other statistics relative to the trade and industry of the country as the Secretary of the Treasury may consider expedient. And the director of the bureau of statistics shall also prepare an annual statement of vessels registered, enrolled, and licensed under the laws of the United States, together with the class, name, tonnage, and place of registry of each vessel, and such other information as the Secretary of the Treasury may deem proper to embody therein; and to enable the said director to furnish the information required, the Secretary of the Treasury shall have power, under such regulations as he shall prescribe, to establish and provide a system of numbering vessels so registered, enrolled, and licensed; and each vessel so numbered shall have her number deeply carved or otherwise permanently marked on her main beam; and if at any time she shall cease to be so marked, such vessel shall be no longer recognized as a vessel of the United States. The said director shall also prepare an annual statement of all merchandise passing in transit through the United States to foreign countries, each description of merchandise, so far as practicable, warehoused, withdrawn from warehouse for consumption, for exportation, for transportation to other districts, and remaining in the warehouse at the end of each fiscal year. It shall be the further duty of said director to collect, digest, and arrange, for the use of Congress, the statistics of the manufactures of the United States, their localities, sources of raw material, markets, exchanges with the producing regions of the country, transportation of products, wages, and such other conditions as are found to affect their prosperity; and to aid him in the discharge of these duties, the several clerks now employed in the preparation of statistics in the treasury department, or any bureau thereof, may be placed under his supervision and direction; and, in addition, the Secretary of the Treasury shall detail such other clerks as may be necessary to fully carry out the provisions of this act. And the expenses of the bureau of statistics for clerical service, publication of reports, stationery, books, and statistical periodicals and papers required by the bureau, shall be defrayed on the order and approval of the Secretary of the Treasury, out of any moneys in the treasury not otherwise appropriated. And all letters and documents to and from the director of the bureau of statistics, relating to the duties and business of his office, shall be transmitted by mail free of postage.

SEC. 14. *And be it further enacted*, That the Secretary of the Treasury be authorized to suspend the collection, in any of the States heretofore declared in insurrection, of the direct tax imposed by an act of Congress passed August fifth, eighteen hundred and sixty-one, entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," until January first, eighteen hundred and sixty-eight.

APPROVED, July 28, 1866.

Bureau of statistics established in Treasury Department.

Director, his salary and duties.

Statistics of commerce and navigation.

Report, when to be submitted to Congress.

Monthly reports of exports and imports.

Annual statement of vessels.

System of numbering vessels enrolled, registered, and licensed, may be established.

Numbers, how to be marked.

Vessel ceasing to be marked ceases to be a United States vessel.

Annual statement of merchandise in transit, warehoused, &c.

Statistics of manufacture.

Clerks.

Expenses of bureau.

Franking privilege.

Collection of direct tax in any State declared in insurrection may be suspended until Jan. 1, 1868.

1861, ch. 45. Vol. xii. p. 292.

July 28, 1866. CHAP. CCXCIX. — *An Act to increase and fix the Military Peace Establishment of the United States.*

Military peace establishment to consist of what.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the military peace establishment of the United States shall hereafter consist of five regiments of artillery, ten regiments of cavalry, forty-five regiments of infantry, the professors and corps of cadets of the United States Military Academy, and such other forces as shall be provided for by this act, to be known as the Army of the United States.

Artillery.

SEC. 2. *And be it further enacted,* That the five regiments of artillery provided for by this act shall consist of the five regiments now organized; and the first, second, third, and fourth regiments of artillery shall have the same organization as is now prescribed by law for the fifth regiment of artillery; but the regimental adjutants, quartermasters, and commissaries shall hereafter be extra lieutenants selected from the first or second lieutenants of the regiment.

Cavalry.

SEC. 3. *And be it further enacted,* That to the six regiments of cavalry now in service there shall be added four regiments, two of which shall be composed of colored men, having the same organization as is now provided by law for cavalry regiments, with the addition of one veterinary surgeon to each regiment, whose compensation shall be one hundred dollars per month; but the grade of company commissary sergeant of cavalry is hereby abolished. The original vacancies in the grade of first and second lieutenant shall be filled by selection from among the officers and soldiers of volunteer cavalry, and two thirds of the original vacancies in each of the grades above that of first lieutenant shall be filled by selections from among the officers of volunteer cavalry, and one third from officers of the regular army, all of whom shall have served two years in the field during the war, and have been distinguished for capacity and good conduct; any portion of the cavalry force may be armed and drilled as infantry or dismounted cavalry at the discretion of the President, and each cavalry regiment shall hereafter have but one hospital steward, and the regimental adjutants, quartermasters, and commissaries shall hereafter be extra lieutenants selected from the first or second lieutenants of the regiment.

Infantry.

SEC. 4. *And be it further enacted,* That the forty-five regiments of infantry provided for by this act shall consist of the first ten regiments, of ten companies each, now in service; of twenty-seven regiments, of ten companies each, to be formed by adding two companies to each battalion of the remaining nine regiments; and of eight new regiments, of ten companies each, four regiments of which shall be composed of colored men and four regiments of ten companies each to be raised and officered as hereinafter provided for, to be called the veteran reserve corps; and all the original vacancies in the grades of first and second lieutenant shall be filled by selection from among the officers and soldiers of volunteers, and one half the original vacancies in each of the grades above that of first lieutenant, shall be filled by selection from among the officers of volunteers, and the remainder from officers of the regular army, all of whom shall have served two years during the war, and have been distinguished for capacity and good conduct in the field. The veteran reserve corps shall be officered by appointments from any officers and soldiers of volunteers or of the regular army who have been wounded in the line of their duty while serving in the army of the United States in the late war, and who may yet be competent for garrison or other duty, to which that corps has heretofore been assigned.

Appointments from volunteer officers and soldiers, how distributed.

SEC. 5. *And be it further enacted,* That the appointments to be made from among volunteer officers and soldiers under the provisions of this act shall be distributed among the States, Territories, and District of Columbia, in proportion to the number of troops furnished by them respectively

to the service of the United States during the late war, reduced to an average of three years' term of service: *Provided*, That the regulation provided in this section governing the proportion of officers to be selected from each State, shall not be applied to the States of California, Oregon, and Nevada.

Proviso.

SEC. 6. *And be it further enacted*, That each regiment of infantry provided for by this act shall have one colonel, one lieutenant-colonel, one major, one adjutant, one regimental-quartermaster, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital-steward, two principal musicians, and ten companies; and the adjutant and quartermaster shall hereafter be extra lieutenants selected from the first or second lieutenants of the regiment. Each company shall have one captain, one first lieutenant and one second lieutenant, one first sergeant, one quartermaster-sergeant, four sergeants, eight corporals, two artificers, two musicians, one wagoner, and fifty privates, and the number of privates may be increased at the discretion of the President, not to exceed one hundred, whenever the exigencies of the service require such increase; and the President is hereby authorized to enlist and employ in the Territories and Indian country a force of Indians, not to exceed one thousand, to act as scouts, who shall receive the pay and allowances of cavalry soldiers, and be discharged whenever the necessity for their further employment is abated, or at the discretion of the department commander.

Each regiment of infantry to have what officers and men.

Indian scouts.

SEC. 7. *And be it further enacted*, That fifteen bands, including the band at the Military Academy, may be retained or enlisted in the army, with such organization as is now provided by law, to be assigned to brigades in time of war, and in time of peace to assembled brigades, or to forts or posts at which the largest number of troops shall be ordinarily stationed, and the band at the Military Academy shall be placed on the same footing as other bands, one ordnance sergeant and one hospital steward for each military post, and the same number of post chaplains as at present authorized, who shall be appointed as now provided by law; and the President of the United States is hereby authorized to appoint for each national cemetery now established, or that may be established, a superintendent, with the rank, pay, and emoluments of an ordnance sergeant, to be selected from among the non-commissioned officers of the regular army and volunteer forces who have received certificates of merit for services during the war.

Military bands.

Ordnance sergeant, hospital steward, and post chaplain.

Superintendent to each national cemetery.

SEC. 8. *And be it further enacted*, That all enlistments into the army shall hereafter be for the term of five years for cavalry, and three years for artillery and infantry, and recruits may at all times be collected at the general rendezvous in addition to the number required to fill to the minimum all the regiments of the army, provided that such recruits shall not exceed in the aggregate three thousand men. It shall be competent to enlist men for the service who have been wounded in the line of their duty while serving in the army of the United States, provided it shall be found, on medical inspection, that by such wounds they are not unfitted for efficiency in garrison or other light duty; and such men, when enlisted, shall be assigned to service exclusively in the regiments of the Veteran Reserve corps.

Enlistments hereafter to be for what term.

Recruits at general rendezvous.

When men who have been wounded may be enlisted;

to what regiments to be assigned.

SEC. 9. *And be it further enacted*, That there shall be one general, one lieutenant-general, five major-generals, and ten brigadier-generals, who shall have the same pay and emoluments, and be entitled to the same staff officers in number and grade as now provided by law.

General, lieutenant-general, major-generals, brigadier-generals.

SEC. 10. *And be it further enacted*, That the adjutant-general's department of the army shall hereafter consist of the officers now authorized by law, viz: one adjutant-general, with the rank, pay, and emoluments of a brigadier-general; two assistant adjutants-general, with the rank, pay and emoluments of colonels of cavalry; four assistant adjutants-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and thir-

Adjutant-general's department.

teen assistant adjutants-general, with the rank, pay, and emoluments of majors of cavalry.

Inspectors-general and assistant inspectors-general.

SEC. 11. *And be it further enacted*, That there shall be four inspectors-general of the army, with the rank, pay, and emoluments of colonels of cavalry; three assistant inspectors-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and two assistant inspectors-general, with the rank, pay, and emoluments of majors of cavalry.

Bureau of military justice.

Judge-advocate-general, &c.

SEC. 12. *And be it further enacted*, That the bureau of military justice shall hereafter consist of one judge-advocate-general, with the rank, pay, and emoluments of a brigadier-general, and one assistant judge-advocate-general, with the rank, pay, and emoluments of a colonel of cavalry; and the said judge-advocate-general shall receive, revise, and have recorded, the proceedings of all courts-martial, courts of inquiry, and military commissions, and shall perform such other duties as have been heretofore performed by the judge-advocate-general of the army. And of the judge-advocates now in office there may be retained a number not exceeding ten, to be selected by the Secretary of the War, who shall perform their duties under the direction of the judge-advocate-general, until otherwise provided by law, or until the Secretary of War shall decide that their services can be dispensed with.

Quartermaster's department.

SEC. 13. *And be it further enacted*, That the quartermaster's department of the army shall hereafter consist of one quartermaster-general, with the rank, pay, and emoluments of a brigadier-general; six assistant quartermasters-general, with the rank, pay, and emoluments of colonels of cavalry; ten deputy quartermasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; fifteen quartermasters, with the rank, pay, and emoluments of majors of cavalry; and forty-four assistant quartermasters, with the rank, pay, and emoluments of captains of cavalry; and the vacancies hereby created in the grade of assistant quartermaster shall be filled by selection from among the persons who have rendered meritorious services as assistant quartermasters of volunteers during two years of the war; but after the first appointments made under the provisions of this section, as vacancies may occur in the grades of major and captain in this department, no appointments to fill the same shall be made until the number of majors shall be reduced to twelve, and the number of captains to thirty, and thereafter the number of officers in each of said grades shall continue to conform to said reduced numbers.

Vacancies, how filled.

Military storekeeper.

SEC. 14. *And be it further enacted*, That the number of military storekeepers in the quartermaster's department shall hereafter be as many as shall be required, not exceeding sixteen, who shall have the rank, pay, and emoluments of captains of infantry.

Provisions of 1864, ch. 253. Vol. xiii. p. 394. extended.

SEC. 15. *And be it further enacted*, That the provisions of the act for the better organization of the quartermaster's department, approved July fourth, eighteen hundred and sixty-four, shall continue in force until the first day of January, eighteen hundred and sixty-seven, and no longer.

Subsistence department.

SEC. 16. *And be it further enacted*, That the subsistence department of the army shall hereafter consist of the number of officers now authorized by law, viz: one commissary-general of subsistence, with the rank, pay, and emoluments of a brigadier-general; two assistant commissaries-general of subsistence, with the rank, pay, and emoluments of colonels of cavalry; two assistant commissaries-general of subsistence, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; eight commissaries of subsistence, with the rank, pay, and emoluments of majors of cavalry; and sixteen commissaries of subsistence, with the rank, pay, and emoluments of captains of cavalry.

Medical department.

SEC. 17. *And be it further enacted*, That the medical department of the army shall hereafter consist of one surgeon-general, with the rank, pay, and emoluments of a brigadier-general; one assistant surgeon-general, with the rank, pay, and emoluments of a colonel of cavalry; one

chief medical purveyor and four assistant medical purveyors, with the rank, pay, and emoluments of lieutenant-colonels of cavalry, who shall give the same bonds which are or may be required of assistant paymaster-generals of like grade, and shall, when not acting as purveyors, be assignable to duty as surgeons by the President; sixty surgeons, with the rank, pay, and emoluments of majors of cavalry; one hundred and fifty assistant surgeons, with the rank, pay, and emoluments of lieutenants of cavalry for the first three years' service, and with the rank, pay, and emoluments of captains of cavalry after three years' service; and five medical storekeepers, with the same compensation as is now provided by law; and all the original vacancies in the grade of assistant surgeon shall be filled by selection by examination from among the persons who have served as staff or regimental surgeons, or assistant surgeons of volunteers in the army of the United States two years during the late war; and persons who have served as assistant surgeons three years in the volunteer service shall be eligible for promotion to the grade of captain; and the Secretary of War is hereby authorized to appoint from the enlisted men of the army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the medical department, under such regulations as the Secretary of War may prescribe.

Medical department.

Vacancies.

Hospital stewards.

SEC. 18. *And be it further enacted*, That the pay department of the army shall hereafter consist of one paymaster-general, with the rank, pay, and emoluments of a brigadier-general; two assistant paymasters-general, with the rank, pay, and emoluments of colonels of cavalry; two deputy paymasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and sixty paymasters, with the rank, pay, and emoluments of majors of cavalry, to be selected from persons who have served as additional paymasters.

Pay department.

SEC. 19. *And be it further enacted*, That the corps of engineers shall consist of one chief of engineers, with the rank, pay, and emoluments of a brigadier-general; six colonels, twelve lieutenant-colonels, twenty-four majors, thirty captains, and twenty-six first and ten second lieutenants, who shall have the pay and emoluments now provided by law for officers of the engineer corps.

Corps of engineers.

SEC. 20. *And be it further enacted*, That the five companies of engineer soldiers, and the sergeant-major and quartermaster-sergeant heretofore prescribed by law shall constitute a battalion of engineers, to be officered by officers of suitable rank detailed from the corps of engineers; and the officers of engineers, acting respectively as adjutant and quartermaster of this battalion, shall be entitled to the pay and emoluments of adjutants and quartermasters of cavalry.

Engineer soldiers.

SEC. 21. *And be it further enacted*, That the ordnance department of the army shall consist of the same number of officers and enlisted men as now authorized by law, and the officers shall be of the following grades, viz: one brigadier-general, three colonels, four lieutenant-colonels, ten majors, twenty captains, sixteen first lieutenants, and ten second lieutenants, with the same pay and emoluments as now provided by law; and thirteen ordnance storekeepers, of whom a number not exceeding six may be appointed and authorized to act as paymasters at armories and arsenals. The ordnance storekeeper and paymaster at the national armory at Springfield shall have the rank, pay, and emoluments of a major of cavalry, and all other ordnance storekeepers shall have the rank, pay, and emoluments of captains of cavalry, and two thirds of the military storekeepers and ordnance storekeepers to be appointed under this and the fourteenth section of this act, shall be selected from volunteer officers or soldiers who have performed meritorious service in the army of the United States during the late rebellion.

Ordnance department.

Storekeeper and paymaster at Springfield.

SEC. 22. *And be it further enacted*, That there shall be one chief signal officer of the army, who shall have the rank, pay, and emoluments of

Chief signal officer.

- a colonel of cavalry ; and the Secretary of War shall have power to detail six officers, and not to exceed one hundred non-commissioned officers and privates, from the battalion of engineers, for the performance of signal duty ; but no officer or enlisted man shall be so detailed until he shall have been examined and approved by a military board, to be convened by the Secretary of War for that purpose ; and enlisted men, while so detailed, shall, when deemed necessary, be mounted upon horses provided by the government.
- Signal duty.** SEC. 23. *And be it further enacted,* That the adjutant-general, quartermaster-general, commissary-general of subsistence, surgeon-general, paymaster-general, chief of engineers, and chief of ordnance, shall hereafter be appointed by selection from the corps to which they belong, and no person shall be appointed to any vacancy created by this act in the pay, medical, or quartermaster's departments, until he shall have passed the examination now required by law.
- Appointment of adjutant-general and heads of departments.** SEC. 24. *And be it further enacted,* That no person[s] shall be commissioned in any of the regiments authorized by this act until they shall have passed a satisfactory examination before a board, to be composed of officers of that arm of the service in which the applicant is to serve, to be convened under the direction of the Secretary of War, which shall inquire into the services rendered during the war, capacity and qualifications of the applicants ; and such appointments, when made, shall be without regard to previous rank, but with sole regard to qualifications and meritorious services ; and persons applying for commissions in any of the regiments authorized by this act shall be entitled in case of passing the examination, and being appointed or commissioned, to receive mileage from the place of his residence to the place of examination, or such portion of that distance as he may actually travel, the same as is paid to officers travelling under orders, but there shall be paid no other compensation.
- Persons not to be commissioned as officers until after examination.** SEC. 25. *And be it further enacted,* That the office of sutler in the army and at military posts is hereby abolished, and the subsistence department is hereby authorized and required to furnish such articles as may from time to time be designated by the inspectors-general of the army, the same to be sold to officers and enlisted men at cost prices, and if not paid for when purchased, a true account thereof shall be kept, and the amount due the government shall be deducted by the paymaster at the payment next following such purchase : *Provided,* That this section shall not go into effect until the first day of July, eighteen hundred and sixty-seven.
- Appointments to be made from qualifications and services.** SEC. 26. *And be it further enacted,* That for the purpose of promoting knowledge of military science among the young men of the United States, the President may, upon the application of an established college or university within the United States, with sufficient capacity to educate at one time not less than one hundred and fifty male students, detail an officer of the army to act as president, superintendent, or professor of such college or university ; that the number of officers so detailed shall not exceed twenty at any time, and shall be apportioned through the United States as nearly as practicable according to population, and shall be governed by general rules, to be prescribed from time to time by the President.
- Mileage.** SEC. 27. *And be it further enacted,* That whenever troops are serving at any post, garrison, or permanent camp, there shall be established a school where all enlisted men may be provided with instruction in the common English branches of education, and especially in the history of the United States, and the Secretary of War is authorized to detail such commissioned officers and enlisted men as may be necessary to carry out the provisions of this section ; and it shall be the duty of the post or garrison commander to cause to be set apart a suitable room or building for school and religious purposes.
- Office of sutler abolished.** SEC. 28. *And be it further enacted,* That nothing in this act shall be
- Articles, how to be furnished.**
- When this section takes effect.**
- The President, upon application, may detail army officers to act as presidents, &c. of certain colleges.**
- Schools for enlisted men at posts, garrisons, or permanent camps.**
- What to be taught.**
- Building for school and religious purposes.**

construed to authorize or permit the appointment to any position or office in the army of the United States of any person who has served in any capacity in the military, naval, or civil service of the so-called confederate states or of either of the States in insurrection during the late rebellion; but any such appointment shall be illegal and void.

Who not to be appointed to office in the army.

SEC. 29. *And be it further enacted*, That, in construing this act, officers who have heretofore been appointed or commissioned to serve with United States colored troops shall be deemed and held to be officers of volunteers, and officers of the regular army who have also held commissions as officers of volunteers or have commanded volunteers shall not on that account be held to be volunteers under the provisions of this act.

Officers of colored troops to be deemed officers of volunteers.

SEC. 30. *And be it further enacted*, That nothing herein contained shall be construed as affecting existing laws respecting the rank, pay, and allowances of chaplains of the army, but the same shall remain as now established by the act entitled "An act to amend section nine of the act approved July seventeen, eighteen hundred and sixty-two, entitled 'An act to define the pay and emoluments of certain officers of the army, and for other purposes,'" approved April nine, eighteen hundred and sixty-four; one chaplain may be appointed by the President, by and with the advice and consent of the Senate, for each regiment of colored troops, whose duty shall include the instruction of the enlisted men in the common English branches of education; and chaplains, when ordered from one field of duty to another, shall be entitled to transportation at the same rate as other officers.

Rank, pay, &c. of chaplains. 1864, ch. 53. Vol. xii. p. 46.

Chaplain for colored troops.

Transportation.

SEC. 31. *And be it further enacted*, That nothing in this act shall be so construed as to vacate the commission of any officer now properly in service, or whose name may be borne on the army register as partially retired, according to law.

Commissions of certain officers not vacated by this act.

SEC. 32. *And be it further enacted*, That officers of the regular army, entitled to be retired on account of disability occasioned by wounds received in battle, may be retired upon the full rank of the command held by them, whether in the regular or volunteer service at the time such wounds were received.

Officers of the regular army, who and how may be retired.

SEC. 33. *And be it further enacted*, That the provost-marshal-general's office and bureau shall be continued only so long as the Secretary of War shall deem necessary, not exceeding thirty days after the passage of this act.

Provost-marshal-general's office and bureau.

SEC. 34. *And be it further enacted*, That all officers who have served during the rebellion as volunteers in the armies of the United States, and who have been or may hereafter be honorably mustered out of the volunteer service, shall be entitled to bear the official title, and upon occasions of ceremony to wear the uniform of the highest grade they have held by brevet or other commissions in the volunteer service. In case of officers of the regular army, the volunteer rank shall be entered upon the official army register; *Provided*, That these privileges shall not entitle any officer to command, pay, or emoluments.

Officers of volunteers to bear their titles and wear their uniforms.

Volunteer rank of regular officers to be entered upon army register. Proviso.

SEC. 35. *And be it further enacted*, That the third section of the act entitled "An act making appropriations for the support of the army for the year ending thirtieth of June, eighteen hundred and sixty-six," shall continue in force for one year from the passage of this act: *Provided*, That no officer who is furnished with quarters in kind shall be entitled to receive the increased commutation of rations hereby authorized.

Provisions as to commutation of officers' subsistence to be continued one year. 1865, ch. 81, § 3. Vol. xiii. p. 497. Proviso.

SEC. 36. *And be it further enacted*, That section three of the act approved February twenty, eighteen hundred and sixty-three, authorizing the appointment of a solicitor of the War Department, be, and the same is hereby, repealed.

Authority for solicitor of war department repealed. 1863, ch. 44, § 3. Vol. xii. p. 656.

SEC. 37. *And be it further enacted*, That the Secretary of War be, and

Code of regulations for the army and militia in actual service, and courts-martial.

Repealing clause.

he is hereby, directed to have prepared, and to report to Congress, at its next session, a code of regulations for the government of the army, and of the militia in actual service, which shall embrace all necessary orders and forms of a general character for the performance of all duties incumbent on officers and men in the military service, including rules for the government of courts-martial. The existing regulations to remain in force until Congress shall have acted on said report.

SEC. 38. *And be it further enacted*, That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 28, 1866.

July 28, 1866.

1853, ch. 59.
Vol. x. p. 155.

CHAP. CCC. — *An Act to revive and extend the Provisions of "An act granting the Right of Way and making a Grant of Land to the States of Arkansas and Missouri, to aid in the Construction of a Railroad from a Point upon the Mississippi opposite the Mouth of the Ohio River, via Little Rock, to the Texas Boundary, near Fulton, in Arkansas, with Branches to Fort Smith and the Mississippi River," approved February 9, 1853, and for other Purposes.*

The act granting right of way and lands to Arkansas and Missouri for railroad revived and extended for ten years.

Lands heretofore granted and reverted to be restored to same custody and condition as at time reversion took place.

Mineral lands reserved.

Property and troops of the United States to be transported free of cost.

Additions to former grant for same uses and trusts.

Lands reserved or to which homestead or pre-emption rights have attached, excepted from grant.

Whole grant not to exceed ten sections a mile.

Lands, how only to be disposed of.

Sections of ten consecutive miles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "Act granting the right of way and making a grant of land to the States of Arkansas and Missouri to aid in the construction of a railroad from a point upon the Mississippi opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River," approved February nine, eighteen hundred and fifty-three, with all the provisions therein made, be, and the same is hereby, revived and extended for the term of ten years from the passage of this act; and all the lands therein granted, which reverted to the United States under the provisions of said act, be, and the same are hereby, restored to the same custody, control, and condition, and made subject to the uses and trusts in all respects as they were before and at the time such reversion took effect: *Provided*, That all mineral lands within the limits of this grant and the grant made in section two of this act are hereby reserved to the United States: *And provided further*, That all property and troops of the United States shall at all times be transported over said railroad and branches at the cost, charge, and expense of the company or corporation owning or operating said road and branches respectively, when so required by the government of the United States.

SEC. 2. *And be it further enacted*, That there is hereby granted, added to, and made part of the donation of lands hereby renewed and made, subject to the same uses and trusts, and under the same custody, control, and conditions, and to be held and disposed of in the same manner as if included in the original grant, all the alternate sections and parts of sections, designated by odd numbers, lying along the outer line of lands heretofore granted, and within five miles on each side thereof, excepting lands reserved or otherwise appropriated by law, or to which the right of pre-emption or homestead settlement has attached: *Provided*, That the additional quantity of lands hereby granted, when added to the lands specified in section one hereof, shall not exceed, in the aggregate quantity of lands by this act granted, sufficient to amount to ten sections for each mile of railroad: *And provided further*, That the lands embraced in this grant and the grant revived by section one of this act shall be disposed of only as follows: Whenever proof shall be furnished, satisfactory to the Secretary of the Interior, that any section of ten consecutive miles of said road and branches is completed in a good, substantial, and workmanlike manner as a first-class railroad, the said Secretary of the Interior shall issue patents for all the lands granted as aforesaid, not exceeding ten sections per mile situate opposite to and within the limits of twenty miles of the section of said road and branches thus completed,

and when like proof shall be furnished that another section of ten miles of said road in said States or on the said branches respectively connecting with the preceding section is completed as aforesaid, the Secretary of the Interior shall issue patents in like manner as *as* in case of the first completed sections, and so on from time to time until the whole is completed as herein provided, when the Secretary of the Interior shall issue patents for all the remaining lands herein granted, not exceeding the aggregate amount provided for and located as required by sections one and two of this act: *And provided further*, That if one section of twenty miles of each of said railroads and branches shall not be fully constructed and completed as a first class railroad within three years from the time this act becomes a law, and at least one section of twenty miles on each of said roads and branches in each year thereafter, and the whole of said roads and branches within ten years from the time this act shall take effect, then and in either of said cases all the lands granted or the grant of which is revived or extended by this act, and which at the time shall be unpatented to or for the benefit of, the road or company making or suffering such failure, shall revert to the United States.

If twenty miles are not completed in three years, and at least twenty miles each year afterwards, and the whole in ten years, lands then unpatented to revert to the United States.

SEC. 3. *And be it further enacted*, That all the lands mentioned in this act, and hereby granted, are hereby reserved from entry, pre-emption, or appropriation to any other purpose than herein contemplated, for the said term of ten years from the passage of this act: *Provided*, That all lands heretofore given to the State of Missouri for the construction of the Cairo and Fulton railroad, or for the use of said road lying in the State of Missouri, and all lands proposed to be granted by this act for the use or in aid of the road herein named, and lying in said State of Missouri, shall be granted and patented to the said State whenever the road shall be completed through said State, which lands may be held by said State and used toward paying the State the amount of bonds heretofore issued by it to aid said company, and all interest accrued or to accrue thereon: *Provided further*, That the provisions of this act, so far as the same relate to the Memphis and Little Rock and the Little Rock and Fort Smith branches of said road, shall not take effect until the Secretary of the Interior shall make and file a certificate in his office and the office of the Secretary of State of Arkansas, stating that the companies or corporations claiming the benefit of this act in behalf of said branches have reorganized their boards of directors in a lawful manner, and, after such reorganization, that they have respectively rescinded all acts, resolutions, or other proceedings, transferring the lands, rights, or privileges of such corporations or companies to any convention, State, or authority recognizing or acting in concert with, or under the authority of the late so-called confederate states of America.

Lands hereby granted to be reserved from entry, pre-emption, &c.

Lands given to Missouri for Cairo and Fulton railroad.

When to be patented to the State;

may be held and used toward paying certain State bonds.

When this act takes effect as relates to the Memphis and Little Rock, and Little Rock and Fort Smith branches of road.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCL — *An Act to authorize the Use of the Metric System of Weights and Measures.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be lawful throughout the United States of America to employ the weights and measures of the metric system; and no contract or dealing, or pleading in any court, shall be deemed invalid or liable to objection because the weights or measures expressed or referred to therein are weights or measures of the metric system.

Use of weights and measures of the metric system authorized.

SEC. 2. *And be it further enacted*, That the tables in the schedule hereto annexed shall be recognized in the construction of contracts, and in all legal proceedings, as establishing, in terms of the weights and measures now in use in the United States, the equivalents of the weights and measures expressed therein in terms of the metric system; and said tables may be lawfully used for computing, determining, and expressing in customary weights and measures the weights and measures of the metric system.

Tables of equivalents.

Measures of length;

MEASURES OF LENGTH.

METRIC DENOMINATIONS AND VALUES.		EQUIVALENTS IN DENOMINATIONS IN USE.
Myriameter	10,000 meters.	6.2137 miles.
Kilometer	1,000 meters.	0.62137 miles, or 3290 feet and ten inches.
Hectometer	100 meters.	328 feet and 1 inch.
Dekameter	10 meters.	393.7 inches.
Meter	1 meter.	39.37 inches.
Decimeter	$\frac{1}{10}$ of a meter.	3.937 inches.
Centimeter	$\frac{1}{100}$ of a meter.	0.3937 inches.
Millimeter	$\frac{1}{1000}$ of a meter.	0.0394 inches.

of surface;

MEASURES OF SURFACE.

METRIC DENOMINATIONS AND VALUES.		EQUIVALENTS IN DENOMINATIONS IN USE.
Hectare	10,000 square meters	2.471 acres.
Are	100 square meters	119.6 square yards.
Centare	1 square meter	1550 square inches.

of capacity:

MEASURES OF CAPACITY.

METRIC DENOMINATIONS AND VALUES.			EQUIVALENTS IN DENOMINATIONS IN USE.	
Names.	Number of liters.	Cubic measure.	Dry measure.	Liquid or wine measure.
Kiloliter, or stere	1,000	1 cubic meter . . .	1.308 cubic yards . .	264.17 gallons.
Hectoliter . .	100	$\frac{1}{10}$ of a cubic meter .	2 bushels and 3.35 pecks	26.417 gallons.
Dekaliter . .	10	10 cubic decimeters .	9.08 quarts	2.6417 gallons.
Liter	1	1 cubic decimeter . .	0.908 quarts	1.0567 quarts.
Deciliter . . .	$\frac{1}{10}$	$\frac{1}{10}$ of a cubic decimeter	6.1022 cubic inches . .	0.845 gills.
Centiliter . .	$\frac{1}{100}$	10 cubic centimeters .	0.6102 cubic inches . .	0.338 fluid ounces.
Milliliter . . .	$\frac{1}{1000}$	1 cubic centimeter . .	0.061 cubic inches . .	0.27 fluid drams.

(Weights.

WEIGHTS.

METRIC DENOMINATIONS AND VALUES.			EQUIVALENTS IN DENOMINATIONS IN USE.
Names.	Number of grams.	Weight of what quantity of water at maximum density.	Avoirdupois weight.
Millier or Tonneau .	1,000,000	1 cubic meter	2204.6 pounds.
Quintal	100,000	1 hectoliter	220.46 pounds.
Myriagram	10,000	10 liters	22.046 pounds.
Kilogram or kilo . .	1,000	1 liter	2.2046 pounds.
Hectogram	100	1 deciliter	3.5274 ounces.
Dekagram	10	10 cubic centimeters . .	0.3527 ounces.
Gram	1	1 cubic centimeter . . .	15.432 grains.
Decigram	$\frac{1}{10}$	$\frac{1}{10}$ of a cubic centimeter .	1.5432 grains.
Centigram	$\frac{1}{100}$	10 cubic millimeters . . .	0.1543 grains.
Milligram	$\frac{1}{1000}$	1 cubic millimeters . . .	0.0154 grains.

CHAP. CCCII. — *An Act to amend an Act entitled "An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and fifty-nine."* July 28, 1866.
1858, ch. 154, § 17.
Vol. xi. p. 327.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to the seventeenth section of the act to which this act is an amendment be altered so as to read as follows: *And provided further,* That where there is no collector at the place of location of any public work herein specified, the Secretary of the Treasury shall have power to appoint a disbursing agent for the payment of all moneys that are, or may be hereafter, appropriated for the construction of any such public work, with such compensation as he may deem equitable and just, and all laws and parts of laws in conflict with the provisions of this section be, and the same are hereby, repealed.

APPROVED, July 28, 1866.

Secretary of Treasury may appoint disbursing agent, where there is no collector at place of location of any public work.

CHAP. CCCIII. — *An act authorizing the Payment of the Rewards offered by the President of the United States and the Officers of the War Department, in April and May, 1865, for the Capture of the Assassins of the late President, Abraham Lincoln, and the Secretary of State, Hon. William H. Seward.* July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any moneys in the treasury not otherwise appropriated, in satisfaction of all claims for the rewards offered by the President of the United States or by authority of the War Department for the capture of the assassins of the late President, Abraham Lincoln, and the Secretary of State, William H. Seward, the following sums to the following-named persons, viz: —

Payment and division of rewards offered for the capture of the assassins of the President and Secretary of State.

For capture of Payne;

For the capture of Payne: —

To Major H. W. Smith, who had charge of, and commanded the force, the sum of.....	\$ 1,000
Richard C. Morgan, detective.....	500
Eli Devore, detective.....	500
Charles H. Rosch, detective.....	500
Thomas Sampson, detective.....	500
William M. Wermerskirch, detective.....	500
John H. Kimball, citizen.....	500
P. M. Clark, citizen.....	500
Susan Jackson, colored.....	250
Mary Ann Griffin.....	250
	<hr/>
	\$ 5,000

For the capture of Atzerott: —

of Atzerott;

To Major E. R. Artman, 213th Pennsylvania Volunteers.....	\$ 1,250 00
Sergeant Zachariah W. Gemmill, 1st Delaware Cavalry.....	3,598 54
Private Christopher Ross, 1st Delaware Cavalry.....	2,878 54
Private David H. Barker, 1st Delaware Cavalry.....	2,878 78
Private Albert Bender, 1st Delaware Cavalry.....	2,878 78
Private Samuel J. Williams, 1st Delaware Cavalry.....	2,878 78
Private George W. Young, 1st Delaware Cavalry.....	2,878 78
Private James Longacre, 1st Delaware Cavalry.....	2,878 78
James W. Purdum, citizen.....	2,878 78
	<hr/>
	\$ 25,000 00

For the capture of Booth and Herold: —

of Booth and Herold;

To E. J. Conger.....	\$15,000
" Lafayette C. Baker.....	3,750
" Luther B. Barker.....	3,000
" Lieutenant E. P. Doherty.....	5,250
" James R. O'Bierne.....	2,000
" H. H. Wells.....	1,000
" George Cottingham.....	1,000
" Alexander Lovett.....	1,000
	<hr/>
	\$ 32,000

Sergeant Boston Corbett, 16th New York cavalry; Sergeant Andrew Wendell, 16th New York cavalry; Corporal Charles Zimmer, 16th New York cavalry; Corporal Michael Uniac, 16th New York cavalry; Corporal John Winter, 16th New York cavalry; Corporal Herman Newgarten, 16th New York cavalry; Corporal John Walz, 16th New York cavalry; Corporal Oliver Lonpay, 16th New York cavalry; Corporal Michael Hormsley, 16th New York cavalry; Private John Myers, 16th New York cavalry; Private John Ryan, 16th New York cavalry; Private William Byrne, 16th New York cavalry; Private Phillip Hoyt, 16th New York cavalry; Private Martin Kelley, 16th New York cavalry; Private Henry Putnam, 16th New York cavalry; Private Frank McDaniel, 16th New York cavalry; Private Lewis Savage, 16th New York cavalry; Private Abraham Genay, 16th New York cavalry; Private Emery Parady, 16th New York cavalry; Private David Barker, 16th New York cavalry; Private William McQuade, 16th New York cavalry; Private John Millington, 16th New York cavalry; Private Frederick Deitz, 16th New York cavalry; Private John H. Singer, 16th New York cavalry; Private Carl Steinbrugge, 16th New York cavalry; Private Joseph Zisgen, 16th New York cavalry, one thousand six hundred and fifty-three dollars eighty-four, eight tenth cents each..... 43,000

\$75,000 00

Payments to be made to persons themselves, or, &c.

SEC. 2. *And be it further enacted*, That the said several sums shall be paid to the several persons above named, respectively, personally, or in case of their decease, to the persons who would be entitled to the same under the bounty laws of the United States in case of a deceased soldier.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCIV. — *An Act directing a District Court to be held at the City of Erie, in the State of Pennsylvania.*

Term of district court to be held at Erie, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, besides the terms of the district court of the United States, directed by law to be held at Pittsburgh, in the county of Alleghany, and at Williamsport, in the county of Lycoming, for the western district of the State of Pennsylvania, the judge of said western district shall hold two terms in every year, at the city of Erie, in the county of Erie, which shall commence the first Monday of July and January in each and every year, beginning in the July or January which shall first immediately follow the passage of this act, and be continued and adjourned from time to time, as the court may deem expedient, for the despatch of the business thereof.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCV. — *An Act to authorize the Secretary of War to furnish Transportation to Discharged Soldiers to whom Artificial Limbs are furnished by the Government.*

Transportation for disabled soldiers to whom artificial limbs are furnished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to furnish to discharged soldiers of the United States, who have been disabled in the service, as well as to those not yet discharged, transportation to and from their homes and the place where they may be required to go to obtain artificial limbs provided for them under authority of law.

APPROVED, July 28, 1866.

July 28, 1866.
1866, ch. 85.
Ante, p. 48.

CHAP. CCCVI. — *An Act supplemental to the Act to appropriate Money for the Postal Services.*

Supplemental appropriation for postal service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, for carrying the mail upon the post roads established by acts of

Congress passed during the first session of the Thirty-ninth Congress, for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven, the sum of four hundred and eighty-six thousand five hundred and twenty-five dollars.

See pages 5, 189, 280.

APPROVED, July 28, 1866.

CHAP. CCCVII.—*An Act to protect the Manufacturers of Mineral Waters in the District of Columbia, and for other Purposes.* July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all manufacturers and vendors of mineral waters and other beverages by law allowed to be sold in bottles, upon which their names or their mark or marks shall be respectively impressed, may file with the clerk of the supreme court of the District of Columbia a description of such bottles and of the name or marks thereon, and shall cause the same to be published for not less than two weeks, successively, in a daily or weekly newspaper, published in said District of Columbia.

Manufacturers, &c. of mineral waters, &c. sold in bottles on which are their names or marks, may file in court description of bottles, &c.

SEC. 2. *And be it further enacted,* That it is hereby declared to be unlawful for any person or persons hereafter, without the permission of the owner or owners thereof, to fill with mineral waters or other beverages any such bottles so marked, for sale, or to traffic in any such bottles so marked, and not bought by him or her of such owner or owners thereof; and every person so offending shall be liable to a penalty of fifty cents for every bottle so filled, or sold, or used, or disposed of, or bought, or trafficked in, for the first offence; and of five dollars for every subsequent offence, to be recovered as other fines in said District of Columbia.

The filling such bottles with mineral water, &c. without permission, declared unlawful.

Penalty.

APPROVED, July 28, 1866.

CHAP. CCCVIII.—*An Act donating certain Lots in the City of Washington for Schools for Colored Children in the District of Columbia.* July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of public buildings be, and he is hereby, authorized and required to grant and convey to the trustees of colored schools for the cities of Washington and Georgetown, in the District of Columbia, for the sole use of schools for colored children in said District of Columbia, all the right, title, and interest of the United States in and to lots numbered one, two, and eighteen in square nine hundred and eighty-five, in the said city of Washington, said lots having been designated and set apart by the Secretary of the Interior to be used for colored schools. And whenever the same shall be converted to other uses, they shall revert to the United States.

Grant of certain lots of land in Washington for the sole use of schools for colored children.

To revert, if &c.

APPROVED, July 28, 1866.

CHAP. CCCIX.—*An Act to extend the Jurisdiction of Commissioners of the Circuit Courts of the United States.* July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioners who now are, or hereafter may be, appointed by the circuit courts of the United States to take acknowledgments of bail and affidavits, and also to take depositions in civil causes, shall and may exercise all the powers that any justice of the peace may exercise under and in virtue of the seventh section of the act passed the twentieth of July, anno Domini seventeen hundred and ninety, entitled "An act for the government and regulation of seamen in the merchant service."

Commissioners of the circuit courts may exercise powers of justice of peace, under act 1790, ch. 29, § 7. Vol. i. p. 134.

APPROVED, July 28, 1866.

July 28, 1866. CHAP. CCCX. — *An Act to provide for the Suits, Judgments, and Business of the United States Provisional Court for the State of Louisiana.*

Proceedings in the United States provisional court for Louisiana, to be transferred to the district court, and to be as though originally commenced there.

Proviso.

Record in certain suits to remain in district court without further action.

Judgments, &c. of the provisional court to become at once the judgments, &c. of the district or circuit court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all suits, causes, prosecutions, and proceedings in the United States provisional court for the State of Louisiana, with the records thereof, be, and the same are hereby, transferred to the United States district court for the eastern district of Louisiana; and all suits, causes, prosecutions, and proceedings so transferred shall be proceeded with in said court and tried and determined, and process and judgment issued and executed therein and by said court in the same manner and with like effect as if the same had been commenced originally in said district court: *Provided, however,* That any suit or proceeding so transferred, of which the circuit court could take jurisdiction under the laws of the United States, shall in like manner be heard and determined in the circuit court held in said district.

SEC. 2. *And be it further enacted,* That in case suits or proceedings are pending in said provisional court which could not have been instituted in said circuit or district court, the record shall remain in said district court without further action therein.

SEC. 3. *And be it further enacted,* That all judgments, orders, decrees, and decisions of the United States provisional court for the State of Louisiana, relating to the causes hereby transferred to the district court of the eastern district of Louisiana, or to the circuit court held in said district, shall at once become the judgments, orders, decrees, and decisions of said district court, or said circuit court, unless the same are inconsistent with the rules and proceedings thereof; and may be enforced, pleaded, and proved, as the judgments, orders, decrees, or decisions of said district court, or said circuit court.

APPROVED, July 28, 1866.

July 28, 1866. CHAP. CCCXI. — *An Act to remove the Office of Surveyor-General of the States of Iowa and Wisconsin to Plattsmouth, Nebraska.*

Office of surveyor-general of Iowa and Wisconsin to be removed to Plattsmouth, Nebraska.

Nebraska and Iowa to constitute a surveying district.

Repealing clause.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Interior, as soon after the passage of this act as may be, to cause the office of surveyor-general of Iowa and Wisconsin to be removed to Plattsmouth in the Territory of Nebraska, and to make the necessary provisions for immediate and effective operations; and when so removed the duties and jurisdiction of said surveyor-general shall be co-extensive with the limits of the Territory of Nebraska, and include the State of Iowa, and the same shall constitute a surveying district.

SEC. 2. *And be it further enacted,* That all acts and parts of acts inconsistent with the provisions of this act, be, and the same are hereby, repealed.

APPROVED, July 28, 1866.

July 28, 1866. CHAP. CCCXII. — *An Act to prevent Officers of the Navy from being deprived of their regular Promotion on Account of Wounds received in Battle, and for other Purposes.*

Physical disqualification of officers of navy, occasioned by wounds received in line of duty, and not incapacitating them, not to prevent promotion on active list.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section four of the "Act to amend an act entitled an act to establish and equalize the grade of line officers of the United States navy," approved July sixteen, eighteen hundred and sixty-two, requiring that no officer in the naval service shall be promoted to a higher grade upon the active list until he has been examined by a board of naval surgeons and pronounced physically qualified to perform all his duties at sea, shall not be construed to apply to and exclude from the promotion to which he would otherwise

be regularly entitled any officer in whose case such medical board shall report that his physical disqualification was occasioned by wounds received in the line of his duty, and that such wounds do not incapacitate him for other duties in the grade to which he shall be promoted.

1864, ch. 63, § 4.
Vol. xiii. p. 53.

SEC. 2. *And be it further enacted*, That the rate of pay of officers of the navy on the retired list and not on duty, nor retired on furlough pay, in cases where such rate of pay has not heretofore been fixed by law, shall be one half of the pay to which such officers would be entitled if on duty at sea. And the pay of clerks of navy yards, of clerks to commandants of navy yards, and of clerks to naval storekeepers, is hereby increased twenty-five per cent upon their present salaries, from the commencement of the present fiscal year.

Pay of navy officers on retired list and not on duty, &c.

Pay of clerks of navy yards, &c. increased twenty-five per cent.

SEC. 3. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby authorized in the settlement of the accounts of the disbursing officers of the navy and marine corps to allow, subject to the approval of the Secretary of the Navy, such credits for losses of property and funds as have occurred during the late rebellion and as shall occur hereafter, and which shall appear to them by such vouchers and testimony as they shall require to have been occasioned by accidental circumstances, or a condition of things over which such officers had no control and for which they are not justly responsible.

Disbursing officers of the navy and marine corps to be allowed credits for such losses of property as shall, &c.

APPROVED, July 28, 1866.

RESOLUTIONS.

[No. 1.] *A Resolution authorizing the President to divert certain Funds heretofore appropriated, and cause the same to be used for immediate Subsistence and Clothing, &c., for destitute Indians and Indian Tribes.* December 21, 1865.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized to cause to be expended under the direction of the Secretary of the Interior, for the immediate subsistence and clothing of destitute Indians and Indian tribes within the southern superintendency, and for agricultural implements and seeds for the same, a sum not exceeding five hundred thousand dollars of the unexpended balance in the treasury of appropriations heretofore made "to enable the President of the United States to carry into effect the act of third of March, eighteen hundred and nineteen, and any other acts now in force for the suppression of the slave-trade": *Provided*, That the accounts of such expenditure shall be laid before Congress during its present session: *And provided also*, That all articles to be furnished to said destitute Indians and Indian tribes shall be delivered to them on or before the first day of July next.

Subsistence
and clothing for
destitute In-
dians, &c.

1819, ch. 101.
Vol. iii. p. 532.
Provisos.

APPROVED, December 21, 1865.

[No. 2.] *A Resolution for increasing the Bond of the Superintendent of public Printing.* January 12, 1866.

WHEREAS the amount of money which can be advanced to the superintendent of public printing under existing law is not sufficient to enable him to meet the current expenditures of his office: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said superintendent be requested to furnish a new bond, in the penal sum of eighty thousand dollars.

Preamble.

Bond of Super-
intendent of
Public Printing.

APPROVED, January 12, 1866.

[No. 3.] *Joint Resolution in Relation to the Industrial Exposition at Paris, France.* January 15, 1866.

WHEREAS the United States have been invited by the government of France to take part in a universal exposition of the productions of agriculture, manufactures, and the fine arts, to be held in Paris, France, in the year eighteen hundred and sixty-seven:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said invitation is accepted.

SEC. 2. *And be it further resolved*, That the proceedings heretofore adopted by the Secretary of State in relation to the said exposition, as set forth in his report and accompanying documents concerning that subject, transmitted to both houses of Congress with the President's message of the eleventh instant, are approved.

See *Post*, p.
362.

Preamble.

Industrial Ex-
position at Paris,
France.

Acts of Secre-
tary of State
approved.

SEC. 3. *And be it further resolved*, That the general agent for the said exposition at New York be authorized to employ such clerks as may be

General agent
at New York

may appoint
clerks;

their pay.

Secretary of
State to make
general regula-
tions.

necessary to enable him to fulfil the requirements of the regulations of the imperial commission, not to exceed four in number, one of whom shall receive compensation at the rate of eighteen hundred dollars per annum, one at sixteen hundred dollars, and two at fourteen hundred dollars.

SEC. 4. *And be it further resolved*, That the Secretary of State be, and is hereby, authorized and requested to prescribe such general regulations concerning the conduct of the business relating to the part to be taken by the United States in the exposition as may be proper.

APPROVED, January 15, 1866.

January 22, 1866. [No. 4.] *Joint Resolution granting certain public Property to the Soldiers' Orphans' Home of Iowa.*

Gift to Soldiers'
Orphans' Home
of Iowa.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the buildings, sheds, furniture, and other property, now at camp Kinsman, near Davenport, Scott county, Iowa, be, and the same are hereby, donated to the Soldiers' Orphans' Home of Iowa.

APPROVED, January 22, 1866.

January 31, 1866. [No. 5.] *Joint Resolution authorizing the Secretary of War to grant the Use of a Portion of Military Reserve on St. Clair River, in the State of Michigan, for Railroad Purposes.*

Use of portion
of military re-
serve on St. Clair
river granted for
horse railroad.

Conditions.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant to Guerdon O. Williams, of the city of Detroit, in the State of Michigan, and his associates, the use of so much of the military reserve on the St. Clair river, in the State of Michigan, known as the site of Fort Gratiot, as is necessary for extending a horse railroad from Port Huron city to the depot of the Port Huron and Detroit railroad, at such rental and upon such terms and conditions as to him may seem proper, reserving to the United States, however, the right of removing the rails, ties, and other parts of said road whenever the Secretary of War shall direct, without any claim or right for damages on the part of the said Williams and associates, or their legal representatives.

APPROVED, January 31, 1866.

February 7, 1866. [No. 6.] *A Resolution directing the Distribution of the Writings of James Madison.*

Distribution of
writings of
James Madison.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the Library be and they are hereby directed to distribute, by mail or otherwise, the five hundred copies of the writings of James Madison, published by authority of Congress under direction of said committee, in the manner following, to wit: To the President of the United States, one copy; to the libraries of the different departments, of the Postmaster-General and Attorney-General, one copy each; to each member of the present Senate and House of Representatives, one copy; to the library of Congress, ten copies; to the libraries of the several States and Territories of the Union, one copy each; to such public and college libraries as may be designated by the present joint committee on the Library, one hundred copies; the residue to be retained in the Department of the Interior for future distribution.

APPROVED, February 7, 1866.

[No. 7.] *A Resolution extending the Time for the Completion of the Burlington and Missouri River Railroad.*

February 10,
1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in case the Burlington and Missouri River Railroad Company shall complete the section of twenty miles from the present terminus of its road by the first day of December, anno Domini eighteen hundred and sixty-six, and the certificate of the governor shall be filed with the Secretary of the Interior of such completion, then the said company shall be entitled to its lands, due by reason of the completion of said section of twenty miles, as provided in section eight of the act entitled "An act to amend an act entitled 'An act making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of certain railroads in said State,'" and its rights shall be in all respects the same as if the same section should have been completed on the first day of July next.

Time for completion of Burlington and Missouri River railroad extended.

1864, ch. 103, § 8.
Vol. xiii. p. 98.

APPROVED, February 10, 1866.

[No. 8.] *A Resolution tendering the Thanks of Congress to Vice-Admiral David G. Farragut, and to the Officers, petty Officers, Seamen, and Marines under his Command, for their Gallantry and good Conduct in the Action in Mobile Bay, on the 5th August, 1864.*

February 10,
1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are eminently due and are hereby tendered to Vice-Admiral David G. Farragut, of the United States navy, and to the officers, petty officers, seamen, and marines under his command, for the unsurpassed gallantry and skill exhibited by them in the engagement in Mobile Bay, on the fifth day of August, eighteen hundred and sixty-four, and for their long and faithful services and unwavering devotion to the cause of the country in the midst of the greatest difficulties and dangers.

Thanks of Congress to Vice-Admiral Farragut, and those under his command.

SEC. 2. *And be it further resolved,* That the President of the United States be requested to communicate this resolution to Vice-Admiral Farragut, and that the Secretary of the Navy be requested to communicate the same to the officers, seamen, and marines of the navy by general order of his department.

President to communicate this resolution.

APPROVED, February 10, 1866.

[No. 9.] *A Resolution for the Payment of Expenses incurred by the Joint Committee to inquire into the Condition of the States which formed the so-called Confederate States of America.*

February 10,
1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to pay the expenses of the joint committee of Congress appointed to inquire into the condition of the States which formed the so-called confederate states of America; and that the said sum shall be drawn from the treasury upon the order of the Secretary of the Senate, as the same shall be required from time to time by the committee having such investigation in charge; and any portion of the sum hereby appropriated that shall be allowed by the said joint committee to witnesses attending before it, or to persons employed in its service, for per diem, travelling or other necessary expenses, and paid by the Secretary of the Senate in pursuance of the order of the said joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

Appropriation for expenses of Joint Committee upon the condition of the so-called confederate states.

APPROVED, February 10, 1866.

February 26, 1866. [No. 10.] *Joint Resolution to encourage and facilitate Telegraphic Communication between the Western and Eastern Continents.*

Preamble.
1864, ch. 199.
Vol. xiii. p. 340.

WHEREAS by an act entitled "An act to encourage and facilitate telegraphic communication between the eastern and western continents" approved July first, eighteen hundred and sixty-four, it was provided, among other things, that the Secretary of the Navy be authorized to detail a vessel to assist in surveys and soundings, laying down sub-marine cable, transporting materials connected therewith, and generally afford such assistance as might be deemed best calculated to secure a successful promotion of the enterprise; and whereas the Emperor of Russia, for the purpose of co-operating with the government of the United States, under the act aforesaid, has ordered a steam corvette, the "Variag," of two thousand one hundred and fifty-six tons burthen, seventeen guns, three hundred and six men, to assist in the achievement of said telegraph, and has placed the said steamer subject to the orders of said telegraph company; and whereas said telegraph company intend, the ensuing summer, to lay the sub-marine cable required at Behring's Strait, said cable and the material for the entire line being now in transit, and the vessels of the company, seven in number, being ready at San Francisco and Vancouver for the expedition, and require immediate co-operation on the part of the United States, in conformity with said act: Therefore,

A steam vessel to be detailed to aid in laying the telegraph cable between the western and eastern continents.

Be it resolved in the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and is hereby, authorized and required to detail one steam vessel from the squadron of the Pacific station, or elsewhere, to assist in making surveys and soundings in that part of the Pacific coast, both of America and Asia, where it is proposed to establish said telegraph, in laying the submerged cable, and generally to afford such assistance as may be best calculated to secure the success of the enterprise and to carry out the purposes of the act approved July first, eighteen hundred and sixty-four, entitled "An act to encourage and facilitate telegraphic communication between the eastern and western continents," so far as the same can be afforded without dismantling her, or destroying or impairing her efficiency as a vessel of war.

APPROVED, February 26, 1866.

March 10, 1866. [No. 11.] *A Resolution providing for Expenses incurred in searching for missing Soldiers of the Army of the United States, and for the further Prosecution of the same.*

Preamble.

WHEREAS Miss Clara Barton has, during the late war of the rebellion, expended from her own resources large sums of money in endeavoring to discover missing soldiers of the armies of the United States, and in communicating intelligence to their relatives; Therefore—

Appropriation to reimburse Miss Clara Barton.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifteen thousand dollars be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to reimburse Miss Clara Barton for the amount so expended by her, and to aid in the further prosecution of the search for missing soldiers; and the printing necessary in the furtherance of the said object shall hereafter be done by the public printer.

Printing.

APPROVED, March 10, 1866.

March 10, 1866. [No. 12.] *Joint Resolution giving the Consent of Congress to the Transfer of the Counties of Berkeley and Jefferson to the State of West Virginia.*

Transfer of Berkeley and Jefferson counties from Virginia to West Virginia.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes the transfer of the counties of Berkeley and Jefferson from the State of Virginia to West Virginia; and consents thereto.

APPROVED, March 10, 1866.

[No. 13.] *Joint Resolution authorizing the Secretary of War to transfer to the National Home for Soldiers' and Sailors' Orphans, of Washington City, certain Stores not needed for the Use of the Government.* March 10, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to deliver to the lady directors of the National Home for Soldiers' and Sailors' Orphans, of Washington city, for the use and aid of that society in its benevolent objects, such blankets, bedding, and other furniture and articles as may be proper for their purposes, and as are now on hand in the stores of the surgeon-general's department, and no longer needed for government account; the Secretary to determine, at his discretion, the specific amount and character of stores thus to be appropriated, and of which due account shall be taken.

APPROVED, March 10, 1866.

Stores for the National Home for Soldiers' and Sailors' Orphans.

[No. 14.] *Joint Resolution for the Relief of the Sufferers by the late Explosion at the United States Arsenal, in the District of Columbia.* March 17, 1866.

WHEREAS by the late explosion at the United States Arsenal, in the District of Columbia, ten persons were killed, who were not enlisted men, but were employes of the government in said arsenal; and whereas those who were so killed left wives and children dependent upon them for support, most of whom are now in a destitute condition: Therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-five hundred dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, and placed by the Secretary of the Treasury in the hands of Col. Benton, commandant of said arsenal, to be distributed by him among the sufferers by the said explosion, according to the equity and necessities of their several cases; and that the said commandant report the details of said distribution to Congress, with the vouchers therefor.

Help to sufferers by the explosion of the United States arsenal in the District of Columbia.

APPROVED, March 17, 1866.

[No. 15.] *Joint Resolution to change the Name of the Ship "Art Union" to the Name "George M. Barnard."* March 22, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to change the name of the ship "Art Union," owned by the State of Massachusetts, and used as quarters for the nautical branch of the Reform School of said State, to the name "George M. Barnard," and to grant said ship a register in the latter name.

Name of ship "Art Union" changed to "George M. Barnard."

APPROVED, March 22, 1866.

[No. 16.] *Joint Resolution authorizing the Secretaries of War and Navy to place Hulks and Vessels at the Disposal of Commissioners of Quarantine, or other proper Authorities, at Ports of the United States, for one Year.* March 24, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secretary of the Navy be, and they are hereby, respectively authorized, in their discretion, to place gratuitously at the disposal of the commissioners of quarantine, or the proper authorities of any of the ports of the United States, to be used by them temporarily for quarantine purposes, such vessels or hulks belonging to the United States as are not required for other uses of the national government, subject to such restrictions and regulations as the said Secretaries may respectively deem necessary to impose for the preservation thereof: *Provided,* That this resolution shall continue in force one year from its passage.

United States vessels, &c. for use of commissioners of quarantine.

APPROVED, March 24, 1866.

March 31, 1866. [No. 17.] *A Resolution in Relation to the Publication of the Laws of the United States.*

Publication of
the Laws of the
United States.

Vol. v. p. 799.
Vol. ix. p. 564.

Time of deliv-
ery.

Price.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby authorized and directed, to renew the contract of October thirty-first, eighteen hundred and fifty, between the Department of State, and Little, Brown, and Company, of Boston, Massachusetts, for the annual publication of the Statutes at Large of the United States, until otherwise ordered by Congress, in conformity with the joint resolutions approved respectively March third, eighteen hundred and forty-five, and September *thirtieth* [twenty-sixth], eighteen hundred and fifty: *Provided*, That the time within which the annual edition of the laws is to be delivered at the Department of State be extended to seventy days after the adjournment of each session of Congress: *And provided, further*, That the price shall not exceed the actual expenditures by Little, Brown, and Company, for composition, press-work, paper, binding, editing, and transportation, all of which shall be done at the lowest market-prices, the paper to be furnished at as low a price as is paid by the government for paper of the same quality, and five per cent commission thereon.

APPROVED, March 31, 1866.

April 4, 1866. [No. 18.] *Joint Resolution in Relation to the Public Lands appertaining to the Armory at Springfield.*

Boundaries
may be so al-
tered as to allow
the laying out,
&c. of streets.
Vol. v. p. 719.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of a joint resolution approved June seventeenth, eighteen hundred and forty-four, entitled "A resolution relating to the public lands appertaining to the armories at Springfield and Harper's Ferry," is hereby revived, re-enacted, and continued in force.

APPROVED, April 4, 1866.

April 5, 1866. [No. 19.] *A Resolution for the Restoration of Commanders William Reynolds and Melancton B. Woolsey, United States Navy, to the Active List from the Reserved List.*

Commanders
Reynolds and
Woolsey restored
to the active list
in the navy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate and by and with the advice and consent of the Senate to appoint Commanders William Reynolds and Melancton B. Woolsey to the active list of the navy.

APPROVED, April 5, 1866.

April 12, 1866. [No. 20.] *Joint Resolution giving Construction to the Law in Relation to Bounties payable to Soldiers discharged for Wounds.*

Construction
of the words in
the bounty act,
"or in the line
of duty."
1865, ch. 79, § 4.
Vol. xiii. p. 488.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the true intent and meaning of the words "or in the line of duty," used in the fourth section of the act approved March third, eighteen hundred and sixty-five, entitled "An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes," requires that the benefit of the provision of said section shall be extended to any enlisted man or other person entitled by law to bounty who has been or may be discharged by reason of a wound received while actually in service under military orders, not at the time on furlough or leave of absence, nor engaged in any unlawful or unauthorized act or pursuit.

APPROVED, April 12, 1866.

[No. 21.] *A Resolution respecting the Burial of Soldiers who died in the military Service of the United States during the Rebellion.* April 13, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to take immediate measures to preserve from desecration the graves of the soldiers of the United States who fell in battle or died of disease in the field and in hospital during the war of the rebellion; to secure suitable burial-places in which they may be properly interred; and to have the grounds enclosed, so that the resting-places of the honored dead may be kept sacred forever.

APPROVED, April 13, 1866.

Burial of soldiers who died in the service of the United States during the rebellion.

[No. 24.] *A Resolution protesting against Pardons by Foreign Governments of Persons convicted of infamous Offences, on Condition of Emigration to the United States.* April 17, 1866.

WHEREAS it appears from official correspondence that the authorities of Basleland, a canton in Switzerland, have recently undertaken to pardon a person convicted of murder on the condition that he would emigrate to America, meaning thereby the United States; and there is reason to believe that similar pardons of persons convicted of infamous offences have been granted in other countries: Now, therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States protests against such acts as unfriendly and inconsistent with the comity of nations, and hereby requests the President of the United States to cause a copy of this protest to be communicated to the representatives of the United States in foreign countries, with instructions to present it to the governments where they are accredited respectively, and to insist that no such acts shall, under any circumstances, be repeated.

APPROVED, April 17, 1866.

Preamble.

Protest against pardons by foreign governments of convicts, on condition of emigration to the United States.

[No. 25.] *A Resolution for the temporary Relief of destitute People in the District of Columbia.* April 17, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the temporary relief of the destitute population in the District of Columbia, to be expended under the direction of the Commissioner of Freedmen's Bureau.

APPROVED, April 17, 1866.

Temporary relief of the destitute population in the District of Columbia.

[No 26.] *Joint Resolution appointing Managers for the National Asylum for Disabled Volunteer Soldiers.* April 21, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons be, and they are hereby, appointed managers of the National Asylum for disabled volunteer soldiers, under the provisions and conditions of the third section of the act approved March twenty-three, [one] eighteen hundred and sixty-six: Richard J. Oglesby, of Illinois, Benjamin F. Butler, of Massachusetts, and Frederick Smyth, of New Hampshire, of the first class, to serve six years; Lewis B. Gunckel, of Ohio, Jay Cook, of Pennsylvania, and P. Joseph Osterhaus, of Missouri, of the second class, to serve four years; John H. Martindale, of New York, Horatio G. Stebbins, of California, and George H. Walker, of Wisconsin, of the third class, to serve two years.

APPROVED, April 21, 1866.

Managers of National Asylum for disabled volunteer soldiers. 1866, ch. 21, § 3. *Ante*, p. 10.

April 21, 1866. [No. 27.] *Joint Resolution expressive of the Thanks of Congress to Major-General Winfield S. Hancock.*

Thanks of
Congress to Ma-
jor-General
Hancock.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the thanks heretofore voted by joint resolution, approved January twenty-eighth, eighteen hundred and sixty-four, to Major-General George G. Meade, Major-General Oliver O. Howard, and to the officers and soldiers of the army of the Potomac, for the skill and heroic valor which at Gettysburg repulsed, defeated, and drove back broken and dispirited the veteran army of the rebellion, the gratitude of the American people and the thanks of their representatives in Congress are likewise due, and are hereby tendered, to Major-General Winfield S. Hancock, for his gallant, meritorious, and conspicuous share in that great and decisive victory.

APPROVED, April 21, 1866.

April 25, 1866. [No. 29.] *A Resolution for the Transfer of Funds appropriated for the Payment of Salaries in the Post Office Department to the General Salary Account of that Department.*

Transfer of
appropriations
for the Post
Office Depart-
ment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance on the books of the Treasury Department, from the respective sums of money appropriated by different acts of Congress, for the salaries of Postmaster-General, assistant postmaster-general, clerks, temporary clerks, additional clerks, messengers, watchmen, laborers, and superintendent and clerks of the money order system, including the amounts appropriated for the payment of twenty per centum increase of certain salaries, (all of the same being appropriations made by Congress for the Post Office Department,) may be transferred on the books of the Treasury Department, from the respective headings under which they are now placed, to the credit of the Post Office Department, to the general salary account of funds placed to the credit of the Post Office Department: *Provided,* That this joint resolution shall not be construed to increase the appropriations already made for the service of the Post Office Department.

Proviso.

APPROVED, April 25, 1866.

May 3, 1866. [No. 31.] *A Resolution making Appropriations for the Expenses of collecting the Revenue from Customs.*

Appropriation
for expenses of
collecting the
revenue from
customs.

1858, ch. 160, § 1.
Vol. xi. p. 337.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of two millions one hundred thousand dollars for the expenses of collecting the revenue from customs for each half-year from and after the last day of December, eighteen hundred and sixty-five, and in addition thereto such sums as may be received during said half-year from fines, penalties, and forfeitures connected with the customs, and from storage, cartage, drayage, and labor; and the first section of an "Act making appropriations for the expenses of collecting the revenue from customs," approved June fourteen, eighteen hundred and fifty-eight, be, and the same is, hereby repealed.

APPROVED, May 3, 1866.

May 3, 1866. [No. 32.] *A Resolution expressive of the Gratitude of the Nation to the Officers, Soldiers, and Seamen of the United States.*

The gratitude
of the nation
expressed by
Congress to the

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the duty and the privilege of Congress to express the gratitude of the nation to the officers, soldiers, and seamen of the United States, by whose valor and endurance, on the

land and on the sea, the rebellion has been crushed and its pride and its power have been humbled, by whose fidelity to the cause of freedom the government of the people has been preserved and maintained, and by whose orderly return from the fire and blood of civil war to the peaceful pursuits of private life the exalting and ennobling influence of free institutions upon a nation has been so signally manifested to the world.

APPROVED, May 3, 1866.

[No. 34.] *A Resolution extending the Time for the Completion of the Union Pacific Railway, Eastern Division.* May 7, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the completion of the first one hundred miles of railroad and telegraph line by the Leavenworth, Pawnee, and Western Railroad Company, (since called the "Union Pacific Railway Company, eastern division,") mentioned in the tenth section of the charter of the Union Pacific Railroad Company, of July first, one thousand eight hundred and sixty-two, and in the fifth section of the amendment thereof, of July second, one thousand eight hundred and sixty-four, be, and the same is hereby, extended until the twenty-seventh day of June, one thousand eight hundred and sixty-six; and that the time for completing each succeeding section of one hundred miles shall be reckoned from the said twenty-seventh day of June in said year.

Time for completing the eastern division of the Union Pacific Railway extended.
1862, ch. 120.
Vol. xii. p. 489.
1865, ch. 216, § 5.
Vol. xiii. p. 358.

Succeeding sections.

SEC. 2. *And be it further resolved,* That the time for commencing and completing the Northern Pacific Railroad, and all its several sections, is extended for the term of two years.

Northern Pacific Railroad.

APPROVED, May 7, 1866.

[No. 35.] *Joint Resolution to provide for the Exemption of Crude Petroleum from Internal Tax or Duty, and for other Purposes.* May 9, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That paraffine oil, not exceeding in specific gravity thirty-six degrees Baumé's hydrometer, the product of a residuum of distillation; crude petroleum; and crude oil, the product of the first and single distillation of coal, shale, asphaltum, peat, or other bituminous substances, shall, from and after the passage of this joint resolution, be exempt from internal tax or duty.

Crude petroleum, &c. to be exempt from internal tax.

APPROVED, May 9, 1866.

[No. 37.] *Joint Resolution relative to the attempted Assassination of the Emperor of Russia.* May 16, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States of America has learned with deep regret of the attempt made upon the life of the Emperor of Russia, by an enemy of emancipation. The Congress sends greeting to his Imperial Majesty, and to the Russian nation, and congratulates the twenty millions of serfs upon the providential escape from danger of the sovereign, to whose head and heart they owe the blessings of their freedom.

Congratulations of Congress that the Emperor of Russia escaped assassination.

SEC. 2. *And be it further resolved,* That the President of the United States be requested to forward a copy of this resolution to the Emperor of Russia.

President requested to forward copy.

APPROVED, May 16, 1866.

May 16, 1866.

[No. 38.] *Joint Resolution relative to the Courts and Post Office of New York City.*

Commission
to select site for
post office and
court house in
New York city;

to make re-
port.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the mayor and postmaster of the city of New York, the district attorney for the United States at New York city, the president of the Chamber of Commerce of the State of New York, and Jackson S. Shultz, Charles H. Russell, and Moses Taylor, of New York city, be appointed a commission to select a proper site for a building for a post office and for the accommodation of the United States courts in the city of New York; and that they report to the Postmaster-General and the Secretary of the Interior, at their earliest convenience, the selection upon which they, or a majority of them, may agree, and the price at which such site can be purchased by the government for the purposes contemplated in this resolution, if a new site should be selected; and that if said report shall meet the approbation of the Postmaster-General and the Secretary of the Interior, they shall communicate the same, with such additional suggestions as they may think proper, to Congress.

APPROVED, May 16, 1866.

May 16, 1866.

[No. 39.] *A Resolution authorizing the Secretary of War to grant the Use of certain Lumber for the Fair for the Soldiers' and Sailors' Orphan Home.*

Lumber may
be used for fair.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to grant the use of lumber not demanded by the Department for immediate use, for the erection of temporary buildings in the city of Washington for the National Fair for the benefit of the Soldiers' and Sailors' Orphan Home.

APPROVED, May 16, 1866.

May 21, 1866.

[No. 40.] *A Resolution to extend the Time for the Construction of the first Section of the Western Pacific Railroad.*

Time for con-
struction of first
section of West-
ern Pacific Rail-
road extended,
upon conditions,
&c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the construction of the first twenty miles of the "Western Pacific railroad" be extended to the first day of January, eighteen hundred and sixty-seven; but this extension is upon the condition to be accepted by said company, and notice of such acceptance to be given by them to the Secretary of the Interior, that the lands known as the lands of the ex-mission of San Jose as included in the map and survey thereof made October, eighteen hundred and sixty-four, by E. H. Dyer, Deputy United States Surveyor, shall not be included in the grant heretofore made to the said Western Pacific Railroad Company.

APPROVED, May 21, 1866.

May 26, 1866.

[No. 41.] *A Resolution to authorize certain Medals to be distributed to Veteran Soldiers free of Postage.*

Certain medals
to veteran sol-
diers to be free
of postage.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant-general of the State of Ohio is hereby authorized to distribute through the mails free of postage, to veteran soldiers re-enlisted in Ohio, certain medals furnished by the general assembly of that State, and in such case the envelope enclosing the same shall be franked by such adjutant-general in the mode prescribed by the Postmaster-General.

APPROVED, May 26, 1866.

[No. 42.] *Joint Resolution respecting Quarantine and Health Laws.*May 26, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized to make and carry into effect such orders and regulations of quarantine as, in his opinion, may be deemed necessary and proper, in aid of State or municipal authorities, to guard against the introduction of the cholera into the ports of the United States; and the Secretary of the Treasury is further authorized to direct the revenue officers and the officers commanding revenue cutters to aid in the execution of such quarantine, and also in the execution of the health laws of the States respectively in such manner as may to him seem necessary. And such an amount of money as may be necessary to carry into effect this joint resolution is hereby appropriated out of any money in the treasury not otherwise appropriated; provided the authority hereby granted shall expire on the first Monday in January, anno Domini eighteen hundred and sixty-seven.

Secretary of Treasury may make quarantine regulations against cholera in aid of State authorities.

Revenue officers and cutters.

Appropriation. Authority, when to expire.

APPROVED, May 26, 1866.

[No. 43.] *A Resolution providing for the Acceptance of a Collection of Plants tendered to the United States by Frederick Pech.*May 26, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States accept the collection of plants tendered by Frederick Pech by his memorial of March second, eighteen hundred and sixty-six, and that the same be deposited in the department of agriculture; and the sum of three hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the commissioner of agriculture to procure suitable cases for the protection of such plants.

Collection of plants, tendered by Frederick Pech, to be accepted.

Appropriation.

APPROVED, May 26, 1866.

[No. 44.] *A Resolution authorizing the Appointment of Examiners to examine a Site for a Fresh-Water Basin for Iron-Clad Vessels of the United States Navy.*June 1, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized and directed to appoint a board of examiners to examine a site at or near Portland, Maine, for a fresh-water basin for iron-clad vessels of the United States navy, and to ascertain the advantages and cost of said site, and report to this Congress during the present session.

Board to examine site, near Portland, Maine, for fresh-water basin for iron-clads.

Report.

APPROVED, June 1, 1866.

[No. 45.] *Joint Resolution authorizing [the] Postmaster-General to pay additional Salary to Letter-Carriers in San Francisco.*June 6, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized to pay such additional salary to letter-carriers in San Francisco, above that provided by law, as may be necessary to secure competent persons for such service.

Additional salary to letter-carriers in San Francisco.

APPROVED, June 6, 1866.

[No. 46.] *A Resolution respecting Bounties to Colored Soldiers, and the Pensions, Bounties, and Allowances to their Heirs.*June 15, 1866.See Post, p. 367.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the omission in the muster-rolls of the words "free on or before April nineteen, eighteen hundred and sixty-one," shall not deprive any colored soldier of the bounty to

Presumption to hold that a colored soldier

was a freeman at the time of enlistment, when nothing to the contrary appears.

1864, ch. 124, § 4. Vol. xiii. p. 129.

What to be sufficient proof of marriage of colored soldier, to secure arrears of pay, &c. due at his death.

Issue of such marriage to be lawful heirs.

which he is entitled, and which is now or may hereafter be withheld by reason of such omission, but where nothing appears on the muster-roll or of record to show that a colored soldier was not a freeman at the date aforesaid, under the provision of the fourth section of the "Act making appropriations for the support of the army, for the year ending the thirtieth of June, eighteen hundred and sixty-five," the presumption shall be that the person was free at the time of his enlistment.

SEC. 2. *And be it further resolved*, That in determining who is or was the wife, widow, or heirs of any colored soldier, evidence that he and the woman claimed to be his wife or widow were joined in marriage by some ceremony deemed by them obligatory, followed by their living together as husband and wife up to the time of enlistment, shall be deemed sufficient proof of such marriage for the purpose of securing any arrears of pay, pension or other allowances due any colored soldier at the time of his death; and the children born of any such marriage shall be held and taken to be the lawful children and heirs of such soldier.

APPROVED, June 15, 1866.

June 15, 1866.

[No. 47.] *A Resolution making an Appropriation to enable the President to negotiate Treaties with certain Indian Tribes.*

Appropriation for negotiating treaties with certain Indian tribes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That one hundred and twenty-one thousand seven hundred and eighty-five dollars and seventy-seven cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to enable the President to negotiate treaties with the Indian tribes of the Upper Missouri, and the Upper Platte rivers; said sum to be expended by the commissioner of Indian affairs, under the direction of the Secretary of the Interior.

APPROVED, June 15, 1866.

June 16, 1866.

[No. 48.] *Joint Resolution proposing an Amendment to the Constitution of the United States.*

Proposed amendment to the Constitution of the United States.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two thirds of both Houses concurring.) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said legislatures, shall be valid as part of the Constitution, namely:—

Article xiv.

ARTICLE XIV.

Who are citizens of the United States and of the States; their privileges and immunities.

SEC. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Apportionment of representatives.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which

the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a senator, or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each house remove such disability.

Certain persons disqualified from holding office.

How disability may be removed.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

The validity of the public debt not to be questioned.

Certain debts and obligations not to be assumed or paid.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

This article may be enforced by legislation.

SCHUYLER COLFAX,

Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,

President of the Senate pro tempore.

Attest:

EDW. MCPHERSON,

Clerk of the House of Representatives.

J. W. FORNEY,

Secretary of the Senate.

Received at Department of State June 16, 1866.

[No. 49.] *Joint Resolution relative to Appointments to the Military Academy of the United States.* June 16, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the age for the admission of cadets to the United States Military Academy shall hereafter be between seventeen and twenty-two years; but any person who has served honorably and faithfully not less than one year as an officer or enlisted man in the army of the United States, either as a volunteer or in the regular service, in the late war for the suppression of the rebellion, and who possesses the other qualifications prescribed by law, shall be eligible to appointment up to the age of twenty-four years.

Age for admission of cadets to United States Military Academy.

SEC. 2. *And be it further resolved, That cadets at the Military Academy shall hereafter be appointed one year in advance of the time of their admission, except in cases where, by reason of death or other cause, a vacancy occurs which cannot be thus provided for by such appointment in advance; but no pay or allowance shall be made to any such appointee until he shall be regularly admitted on examination as now provided by law; nor shall this provision apply to appointments to be made in the present year. And in addition to the requirements necessary for admission as provided by the third section of the "Act making further provisions for the corps of engineers," approved April twenty-nine, eighteen hundred and twelve, candidates shall be required to have a knowledge of the elements of English grammar, of descriptive geography, particularly of our own country, and of the history of the United States.*

Cadets to be appointed one year in advance of their admission, except, &c.

Pay to commence after admission. New requirements for admission.

1812, ch. 72. Vol. ii. p. 720.

SEC. 3. *And be it further resolved, That, in all appointments of cadets to the military academy after those who enter the present year, the person authorized to nominate shall nominate not less than five candidates for each vacancy, all of whom shall be actual residents of the Con-*

Mode of appointments.

Appointments
at large.

Proviso.

gressional district, Territory, or District of Columbia, entitled to the appointment; and the selection of one shall be made from the candidates according to their respective merits and qualifications, under such rules and regulations as the Secretary of War shall from time to time prescribe. And in like manner the President of the United States shall be authorized hereafter to nominate fifty at large each year, instead of ten as now provided by law, who shall be examined under like regulations, and of whom the ten who may be reported as most meritorious and best qualified shall be appointed: *Provided, however,* That not more than two of these shall be appointed in any year from one State.

APPROVED, June 16, 1866.

June 18, 1866.
1864, ch. 240.
Vol. xiii. p. 381.

[No. 50.] *Joint Resolution to extend to the Counties of Berkeley and Jefferson, of West Virginia, the Provisions of the Act approved July fourth, eighteen hundred and sixty-four, entitled "An Act to restrict the Jurisdiction of the Court of Claims, and to provide for the Payment of certain Demands for Quartermasters' Stores and Subsistence Supplies furnished to the Army of the United States."*

Provisions of
act 1864, ch. 240,
extended to
Berkeley and
Jefferson coun-
ties, West Vir-
ginia.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of Congress of July fourth, eighteen hundred and sixty-four, entitled "An act to restrict the jurisdiction of the court of claims, and for other purposes," be and the same are hereby construed to extend to the counties of Berkeley and Jefferson, of the State of West Virginia.

APPROVED, June 18, 1866.

June 18, 1866.

Appropriation
for repair of
Potomac bridge.

[No. 51.] *Joint Resolution making an Appropriation for the Repair of the Potomac Bridge.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, to enable the commissioner of public buildings to place the Potomac bridge in such repair as to render it permanently passable, the work to be done immediately after the approval of this joint resolution.

APPROVED, June 18, 1866.

June 18, 1866.

Bounty to be
paid to the enlist-
ed men of certain
Indian regi-
ments.

[No. 52.] *A Resolution to provide for the Payment of Bounty to certain Indian Regiments.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to cause to be paid to the enlisted men of the first, second, and third Indian regiments the bounty of one hundred dollars, under the same regulations and restrictions as now determine the payment of bounty to other volunteers in the service of the United States.

APPROVED, June 18, 1866.

June 21, 1866.
1864, ch. 80.
Vol. xiii. p. 66.

[No. 53.] *A Resolution explanatory of, and in Addition to, the Act of May fifth, eighteen hundred and sixty-four, entitled "An Act granting Lands to aid in the Construction of certain Railroads in Wisconsin."*

The words "in
a Northwestern
direction," how
to be construed
in authorizing
the location of
the road.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "in a north-western direction," in the third section of the act entitled "An act granting lands to aid in the construction of certain railroads in the State of Wisconsin," approved May fifth, eighteen hundred and sixty-four shall, without forfeiture to said State, or its assigns, of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of said

road, in said third section provided for, along and upon the following route, that is to say: from the city of Portage, by the way of the city of Ripon, in the county of Fond du Lac, and the city of Berlin, in the county of Green Lake, to Steven's Point, and thence to Bayfield, and thence to Superior, on Lake Superior. And the Legislature of the said State of Wisconsin, having, in and by an act entitled "An act to incorporate the Portage and Superior Railroad Company, and to execute the trust created by section three of the act of Congress entitled 'An [act] granting lands to aid in the construction of certain railroads in the State of Wisconsin,' approved May fifth, eighteen hundred and sixty-four," approved April —, eighteen hundred and sixty-six, authorized and required the said Portage and Superior Railroad Company to construct the line of road in the said third section of the said act of Congress provided for, upon and along the route hereinbefore set forth and described, the Congress of the United States hereby gives its assent to the route of the said railroad, as the same is hereinbefore described and set forth, and consents to the selection and application of the lands granted to the State of Wisconsin by the third section of the said act of Congress hereinbefore mentioned, for and to the line of the said railroad, as the same is hereinbefore defined and described, in the same manner and with the same effect as if the said railroad was located and constructed in strict conformity with and upon the route prescribed in the said third section of the said act of Congress. It being the intention of this resolution to give the assent of the United States to the disposition made by the Legislature of the State of Wisconsin of the land grant herein referred to, and the change of route for the railroad in aid of which the same is granted, and not to make any other disposition, change, or alteration of the grant aforesaid.

Congress assents to the location of the Portage and Superior Railroad Company;

and consents to the selection and application of the lands.

Intention of this resolution.

APPROVED, June 21, 1866.

[No. 55.] *A Resolution for the Restoration of Lieutenant-Commander Richard L. Law, United States Navy, to the Active List from the Reserved List.* June 22, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate, and by and with the advice and consent of the Senate to appoint, Lieutenant-Commander Richard L. Law to the Active List of the Navy, and restore him to his original rank in the grade of lieutenant-commander.

Richard L. Law may be restored to active list of the navy.

APPROVED, June 22, 1866.

[No. 57.] *Joint Resolution to authorize the Distribution of Surplus Copies of the American State Papers in the Custody of the Secretary of the Interior.* June 23, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to distribute by mail or otherwise four hundred copies of the American state papers, second series, in seventeen volumes, in the manner following, to wit:—

Distribution of surplus copies of American state papers.

To each member of the Senate and House of Representatives of the present Congress, one copy of each of said seventeen volumes; and to such public and college libraries as may be designated by the joint committee on the library, one copy each.

APPROVED, June 23, 1866.

[No. 58.] *Joint Resolution to pay the State of Vermont the Sum expended for the Protection of the Frontier against the Invasion from Canada, in eighteen hundred and sixty-four.* June 23, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to pay the State of Vermont any sum

Vermont to be paid for expenses for defence and

protection of
frontier.

that may be found due, after the same shall have been audited by the proper officers of the Treasury Department, expended by the State of Vermont for the defence and protection of the frontier from invasion from Canada, in eighteen hundred and sixty-four: *Provided*, That the amount to be audited and paid shall not exceed the sum of sixteen thousand four hundred and sixty-three dollars and eighty-one cents.

APPROVED, June 23, 1866.

July 3, 1866.

[No. 62.] *A Resolution for the Construction of a Railroad Bridge across the Cuyahoga River, over and upon the Government Piers at Cleveland, Ohio.*

A swing bridge
may be erected
upon govern-
ment piers
across Cuya-
hoga river, at
Cleveland, Ohio.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to permit the Cleveland and Toledo Railroad Company and the Cleveland and Pittsburgh Railroad Company jointly, or either of said companies for their joint use or separate use, to erect a swing bridge over and upon the government piers, for the passage of cars across the Cuyahoga river at the city of Cleveland in the State of Ohio, upon such plan as shall hereafter be approved by the city council of said city of Cleveland and by the board of trade of the same city, subject, however, to such conditions, restrictions, and limitations as said Secretary of War may see fit to impose at any period of time, whether prior or subsequent to the erection of said bridge: *Provided*, [That] this resolution and all acts done under it shall be subject to the future action of Congress.

APPROVED, July 3, 1866.

July 3, 1866.

[No. 63.] *A Resolution to authorize the Hiring of a Building or Buildings for the temporary Accommodation of the Department of State.*

Buildings may
be hired for the
temporary use
of Department of
State.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be authorized to hire a suitable building or buildings for the temporary accommodation of the Department of State, and that such sum of money, not exceeding twenty-five thousand dollars, as may be necessary towards defraying the expense of such hiring, the transfer of the public archives, and the fitting up of the building or buildings, be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

APPROVED, July 3, 1866.

July 5, 1866.

See *Ante*, p. 347.

[No. 66.] *Joint Resolution to enable the People of the United States to participate in the Advantages of the Universal Exhibition at Paris, in eighteen hundred and sixty-seven.*

Appropriation
for participation
in the Universal
Exhibition at
Paris.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enable the people of the United States to participate in the advantages of the universal exhibition of the productions of agriculture, manufactures, and the fine arts, to be held at Paris, in the year eighteen hundred and sixty-seven, the following sums, or so much thereof as may be necessary for the purposes severally specified, are hereby appropriated, out of any money in the treasury not otherwise appropriated:—

Furniture and
fixtures.

First. To provide necessary furniture and fixtures for the proper exhibition of the productions of the United States, according to the plan of the imperial commissioners, in that part of the building exclusively assigned to the use of the United States, forty-eight thousand dollars.

Additional ac-
commodations.

Secondly. To provide additional accommodations in the park, twenty-five thousand dollars.

Principal
agent.

Thirdly. For the compensation of the principal agent of the exhibition in the United States, at the rate of two thousand dollars a year: *Pro-*

vided, That the period of such service shall not extend beyond sixty days after the close of the exhibition, four thousand dollars, or so much thereof as may be found necessary. Limit to his time of service.

Fourthly. For office rent at New York, for fixtures, stationery, and advertising; for rent of storehouse for reception of articles and products; for expenses of shipping, including cartages, &c.; for freights on the articles to be exhibited from New York to France, and for compensation of four clerks, in conformity with the joint resolution approved on the fifteenth of January, eighteen hundred and sixty-six, and for contingent expenses, the sum of thirty-three thousand seven hundred dollars, or so much thereof as may be found necessary. Office rent at New York, &c.

Ante, p. 347.

Fifthly. For expenses in receiving, bonding, storage, cartage, labor, and so forth, at Havre; for railway transportation from Havre to Paris; for labor in the palace; for sweeping and sprinkling compartments for seven months; for guards and keepers for seven months; for linguists (eight men) for seven months; for storing, packing-boxes, carting, and for material for repacking; for clerk-hire, stationery, rent, and contingent expenses, the sum of thirty-five thousand seven hundred and three dollars, or so much thereof as may be found necessary. Expenses at Havre and Paris

Sixthly. For the travelling expenses of ten professional and scientific commissioners, to be appointed by the President, by and with the advice and consent of the Senate, at the rate of one thousand dollars each, ten thousand dollars, it being understood that the President may appoint additional commissioners, not exceeding twenty in number, whose expenses shall not be paid; but no person interested, directly or indirectly, in any article exhibited shall be a commissioner; nor shall any member of Congress, or any person holding an appointment or office of honor or trust under the United States be appointed a commissioner, agent, or officer under this resolution. Expenses of commissioners.

Additional commissioners.

Who shall not be commissioners.

SEC. 2. *And be it further resolved*, That the governors of the several States be, and they are hereby, requested to invite the patriotic people of their respective States to assist in the proper representation of the handiwork of our artisans, and the prolific sources of material wealth with which our land is blessed, and to take such further measures as may be necessary to diffuse a knowledge of the proposed exhibition, and to secure to their respective States the advantages which it promises. The people of the States invited to take part in the exhibition.

SEC. 3. *And be it further resolved*, That it shall be the duty of the said general agent at New York, and the said commissioner-general at Paris, to transmit to Congress, through the Department of State, a detailed statement of the manner in which such expenditures as are hereinbefore provide[d] for are made by them respectively. Detailed statement to be made of expenditures hereby authorized.

APPROVED, July 5, 1866.

[No. 67.] *Joint Resolution declaratory of the Law of Bounty.*

July 13, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That where any enlisted man has been or may be detailed for duty as a clerk or for any other duty in any executive bureau, at headquarters or elsewhere, he shall not by such detail be deprived of any rights to bounties now due or hereafter to become due, but shall be as fully entitled thereto as though no such detail had been made.

Enlisted men detailed for special duty not thereby to be deprived of bounty.

APPROVED, July 13, 1866.

July 14, 1866.

[No. 69.] *A Resolution to authorize the President to place at the Disposal of the Authorities of Portland, Maine, Tents, Camp, and Hospital Furniture and Clothing, for the Use of Families rendered houseless by the late Fire.*

Certain clothing, camp equipage, bedding, &c. to be placed at the disposal of the authorities of Portland, Maine.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to place at the disposal, without charge, of the city authorities of Portland, Maine, such clothing, condemned or ordered sold, and such surplus camp and garrison equipage, bedding, and hospital furniture, on hand, as can be spared by the army, for the use of families rendered houseless and destitute by the recent conflagration; and that it shall be the duty of the quartermaster's department to deliver these articles at Portland, and to take a receipt for the same of the mayor of the said city, and to receive and properly dispose of the same when no longer needed.

APPROVED, July 14, 1866.

July 24, 1866.

[No. 73.] *Joint Resolution restoring Tennessee to her Relations to the Union.*

Preamble.

WHEREAS, in the year eighteen hundred and sixty-one, the government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the United States, and the inhabitants of said State in pursuance of an act of Congress were declared to be in a state of insurrection against the United States; and whereas said State government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States; and whereas the people of said State did, on the twenty-second day of February, eighteen hundred and sixty-five, by a large popular vote, adopt and ratify a constitution of government whereby slavery was abolished, and all ordinances and laws of secession and debts contracted under the same were declared void; and whereas a State government has been organized under said constitution which has ratified the amendment to the Constitution of the United States abolishing slavery, also the amendment proposed by the thirty-ninth Congress, and has done other acts proclaiming and denoting loyalty: Therefore,

Tennessee declared restored to the Union.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Tennessee is hereby restored to her former proper, practical relations to the Union, and is again entitled to be represented by senators and representatives in Congress.

APPROVED, July 24, 1866.

July 25, 1866.

[No. 74.] *Joint Resolution in Regard to Rations of Union Soldiers held as Prisoners of War.*

Preamble.

WHEREAS by general order of the war department of February fourteenth, eighteen hundred and sixty-two, rations to Union soldiers held as prisoners of war in the rebel States, were commuted at a cost price during the period of their imprisonment; and whereas a large number of the said prisoners have been paid under said order, but many equally worthy with them and who have suffered in rebel prisons, have not been so paid: Therefore,

Union soldiers, sailors, and marines held as prisoners in the rebel States, to be paid commutation of rations at cost prices. Proviso.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all United States soldiers, sailors and marines who were held as prisoners of war in the rebel States, shall be paid commutation of rations at cost prices during the period of their imprisonment: *Provided,* That no person who has sold or transferred any interest in the claim for said commutation, nor any purchaser or assignee of such claim or interest, shall be benefited by this resolution; and the amount of such commutation shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 25, 1866.

[No. 75.] *Joint Resolution in Reference to the Dismal Swamp Canal Company.*

July 25, 1866.

WHEREAS the United States are interested in the Dismal Swamp Canal, connecting the inland waters of the Chesapeake with the sounds of North Carolina, by holding eight hundred shares of the stock of the Dismal Swamp Canal Company; and whereas the canal should be kept open as a navigable highway without further outlay on the part of the United States: Therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to sell said stock at auction, or otherwise, in such manner as will best protect the interest of the United States in said canal, and will insure that the same will be kept open as such navigable highway, without further expense to the government: *Provided,* That the instruments and papers effecting such sale, in the manner aforesaid, shall be approved by the Attorney-General before the delivery thereof.

The stock of the United States in the Dismal Swamp Canal to be sold, and how.

Proviso.

APPROVED, July 25, 1866.

[No. 76.] *Joint Resolution authorizing the Commissioner of Public Buildings to employ three additional Watchmen in the Smithsonian Grounds.*

July 25, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of public buildings and grounds be, and the same is hereby, authorized to employ three additional watchmen for the Smithsonian grounds.

Additional watchmen for Smithsonian grounds.

APPROVED, July 25, 1866.

[No. 77.] *A Resolution to authorize the Purchase for the Library of Congress of the Law Library of James L. Petigru, of South Carolina.*

July 25, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the library be, and they are hereby, authorized to purchase the law library belonging to the estate of the late James Louis Petigru, for the use of the library of Congress; and the sum of five thousand dollars is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to carry into effect the purpose of this resolution, to be paid only to the use of the widow of the said Petigru.

Law library of James Louis Petigru to be bought for the library of Congress.

Appropriation.

APPROVED, July 25, 1866.

[No. 79.] *A Resolution manifesting the Sense of Congress towards the Officers and Seamen of the Vessels, and others, engaged in the Rescue of the Officers and Soldiers of the Army, the Passengers, and the Officers and Crew of the Steamship San Francisco, from perishing with the Wreck of that Vessel.*

July 26, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to procure three valuable gold medals, with suitable devices, one to be presented to Captain Creighton, of the ship Three Bells, of Glasgow; one to Captain Low, of the bark Kilby, of Boston; and one to Captain Stouffer, of the ship Antar[c]tic, as testimonials of national gratitude for their gallant conduct in rescuing about five hundred Americans from the wreck of the steamship San Francisco; and that the cost of the same be paid out of any money in the treasury not otherwise appropriated.

Gold medals to be presented, as testimonials of national gratitude for the rescue of the passengers, officers, and men of the wrecked steamship San Francisco.

SEC. 2. *And be it further resolved,* That the sum of seven thousand five hundred dollars each is hereby appropriated, out of any money in the treasury not otherwise appropriated, to the above-named captains respectively, as a reward of their humanity and heroism in the rescue of the sur-

Reward of \$7500 to each master of the vessels participating in the rescue.

vivors of said wreck, and in case either of the said captains may have died, then the amount hereby appropriated shall be paid to the widow of said deceased captain respectively ; if no widow surviving then to the respective child or children of such deceased captain ; and in the event of their being no child or children of such deceased captain surviving, then the amount hereby appropriated shall be paid first to the father, or, if the father be not living, then to the mother of such deceased captain respectively.

Reward of
\$ 500 to each
mate, and \$100
to each man and
boy of said ves-
sels.

SEC. 3. *And be it further resolved*, That there shall be paid to each mate of the three above-named vessels the sum of five hundred dollars, and to each man and boy the sum of one hundred dollars, and in case of the death of the respective mate or mates, or men and boys, that the said respective sums shall be paid in the same way and under the same conditions as the payment is to be made in case of the death of the respective captains.

APPROVED, July, 26, 1866.

July 26, 1866.

[No. 80.] *A Resolution to authorize the Use of certain Plates of the United States Exploring Expedition by the Navy Department.*

The use of
certain engraved
plates of the
United States
Exploring Expe-
dition to be
granted to the
Navy Depart-
ment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the library be authorized and instructed to grant to the navy department the use of such of the engraved plates of the United States Exploring Expedition under Captain Wilkes, now in charge of said committee, as may be desired for the purpose of printing a supply of charts for the use of said department.

APPROVED, July 26, 1866.

July 26, 1866.

[No. 81.] *A Resolution for the Benefit of the Illinois Soldiers' College and Military Academy.*

Cots and bed-
ding for five
hundred persons
granted to the
Illinois Soldiers'
College, &c. for
use of free stu-
dents therein,
disabled by the
war.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to transfer to the Illinois Soldiers' College and Military Academy, from the surplus on hand and not needed for the public service, cots and bedding necessary to accommodate five hundred persons for the use of free students in said institution disabled by the war.

APPROVED, July 26, 1866.

July 26, 1866.

[No. 82.] *A Resolution authorizing the Payment of certain Claims against the late Territory of Nevada.*

Payment of
certain claims
against the late
Territory of
Nevada.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, to enable the Secretary of the Treasury to settle and pay outstanding claims duly examined and allowed, and properly chargeable to the contingent expenses of the executive department of the Territory of Nevada, so much of the unexpended balance of the appropriation for "compensation and mileage of members of the Legislative Assembly, &c., of the Territory of Nevada," as may be found necessary for that purpose, be, and the same is hereby, transferred to the credit of the fund for paying the contingent expenses of the executive department of that Territory, and that the proper accounting officers of the treasury are hereby authorized and directed, out of the said balance, hereby directed to be transferred, to pay the claims so adjusted and allowed.

APPROVED, July 26, 1866.

[No. 83.] *A Resolution to provide for Codifying the Laws relating to the Customs.*

July 26, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be prepared and submitted to Congress at its next session, under the direction of one member of the Senate and one member of the House of Representatives, each to be appointed by the presiding officer of the body to which he belongs, a general customs revenue law, designed to supersede all other laws on that subject, and embracing all necessary provisions for regulating the foreign and coasting trades, the assessment and collection of duties on goods, wares, and merchandise imported from foreign countries, and other subject-matters immediately pertaining thereto; the expenses necessarily incurred in the preparation thereof to be paid from the appropriation for the expenses of collecting the revenue from customs: *Provided*, That the said expenses shall not exce[e]d ten thousand dollars.

A general customs revenue law to be prepared and submitted to Congress.

Proviso.

APPROVED, July 26, 1866.

[No. 84.] *A Resolution providing for the Examination of the Accounts of the State of Massachusetts for Moneys expended during the War for Coast Defence.*

July 26, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and requested to appoint, by and with the advice and consent of the Senate, two commissioners who shall examine into the claim of the State of Massachusetts for moneys expended for coast defence during the war, and shall make a full and complete report thereon to Congress at its next session.

Claim of Massachusetts for expenses for coast defence to be examined.

APPROVED, July 26, 1866.

[No. 85.] *A Resolution granting the Right of Way through Military Reserves to the Union Pacific Railroad Company and its Branches.*

July 26, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to approval by the President, the right of way, one hundred feet in width, is hereby granted to the Union Pacific Railroad Company and the companies constructing the branch roads connecting therewith, for the construction and operation of their roads over and upon all military reserves through which the same may pass; and the President is hereby authorized to set apart to the Union Pacific Railway Company, eastern division, twenty acres of the Fort Riley military reservation, for depot and other purposes, in the bottom opposite "Riley City"; also fractional section "one" on the west side of said reservation, near Junction City, for the same purposes; and also to restore, from time to time, to the public domain, any portion of said military reserve over which the Union Pacific railroad, or any of its branches, may pass, and which shall not be required for military purposes: *Provided*, That the President shall not permit the location of any such railroad or the diminution of any such reserve in any manner so as to impair its usefulness for military purposes, so long as it shall be required therefor.

Right of way granted to the Union Pacific Railroad Company and its branches through the military reserves. Grant for depot and other purposes.

Such portions of these reserves as are not needed for military purposes to be restored to public domain.

Usefulness for military purposes not to be interfered with.

APPROVED, July 26, 1866.

[No. 86.] *Joint Resolution amendatory of a Joint Resolution entitled "A Resolution respecting Bounties to Colored Soldiers, and the Pensions, Bounties, and Allowances to their Heirs," approved June 15, 1866.*

July 26, 1866.

Ante, p. 357.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "at the time of his enlistment," at the end of section one of the "resolution respecting

The words "at the time of his enlistment," at

end of section one, stricken out.

Agent or attorney making claim for bounty must file with each claim his oath that, &c.

Fees of agents.

Penalty for charging more than legal fees.

If payments are made by check, &c. claimant how to establish his identity.

Soldiers not to sell or assign, &c. discharges, &c.

Such sales, &c. void.

bounties to colored soldiers, and the pensions, bounties, and allowances to their heirs," approved June fifteen, eighteen hundred and sixty-six, be, and the same are hereby, stricken out.

SEC. 2. *And be it further resolved*, That whenever application shall be made by any claimant for bounty under the provisions of the joint resolution aforesaid, by or through any agent or attorney, such agent or attorney shall hereafter be required to file with each claim his oath or affirmation that he has no interest whatever in said bounty beyond the fees for collection of the same, which are hereby fixed and established as follows, viz: for the preparation and prosecution of claims for, and the collection and remittance of, all sums not exceeding fifty dollars, the sum of five dollars; for all sums exceeding fifty and less than one hundred dollars, the sum of seven dollars and fifty cents; and for all sums exceeding one hundred dollars, the sum of ten dollars; and said fees shall include all expenses incident to the collection of said claims, except the expense of the necessary affidavits and notarial or other acknowledgments, which shall be defrayed by the claimant; and any agent or attorney who shall charge, directly or indirectly, in any case, a greater sum for his services in preparing and prosecuting said claims and collecting and remitting the amount due, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by fine not exceeding three thousand nor less than one thousand dollars, and shall be forever excluded from prosecuting military or naval claims against the government.

SEC. 3. *And be it further resolved*, That in case the payments shall be made in the form of a check, order, or draft upon any paymaster, national bank, or government depository, it shall be necessary for the claimant to establish, by the affidavits of two credible witnesses, that he is the identical person named therein; but in no case shall such checks, orders, or drafts be made negotiable until after such identification.

SEC. 4. *And be it further resolved*, That it shall not be lawful for any soldier to transfer, assign, barter, or sell his discharge, for the purpose of transferring, assigning, bartering, or selling any interest in any bounty under the provisions of said resolution; and all such transfers, assignments, barter, or sales heretofore made are hereby declared null and void as to any rights intended so to be conveyed by any such soldier.

APPROVED, July 26, 1866.

July 26, 1866.

[No. 87.] *Joint Resolution for the Relief of certain Officers of the Army.*

Certain commissioned officers actually entering on duty, but not mustered in within &c. to have full pay from what date.

Heirs, &c. of such officers to receive arrears of pay and pensions.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case in which a commissioned officer actually entered on duty as such commissioned officer, but by reason of being killed in battle, capture by the enemy, or other cause beyond his control, and without fault or neglect of his own, was not mustered within a period of not less than thirty days, the pay department shall allow to such officer full pay and emoluments of his rank from the date on which such officer actually entered on such duty as aforesaid, deducting from the amount paid in accordance with this resolution all pay actually received by such officer for such period.

SEC. 2. *And be it further resolved*, That the heirs or legal representatives of any officer whose muster into service has been or shall be amended hereby, shall be entitled to receive the arrears of pay due such officer or the pension provided by law for the grade into which such officer is mustered under the provisions of the first section of this resolution.

APPROVED, July 26, 1866.

[No. 90.] *A Resolution to change the Place of holding the Terms of the Circuit Court for the District of West Virginia.* July 27, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the circuit court for the district of West Virginia, heretofore held at Lewisburg, in the county of Greenbrier, shall be hereafter held at the city of Parkersburg, at the time now fixed by law.

Circuit court for West Virginia to be held at Parkersburg, and not at Lewisburg.

APPROVED, July 27, 1866.

[No. 91.] *A Resolution to provide for the Publication of the Official History of the Rebellion.* July 27, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "A resolution to provide for the printing of official reports of the armies of the United States," approved May nineteen, eighteen hundred and sixty-four, be, and the same is hereby, repealed.

Provision for printing official reports of the armies of the United States repealed.

SEC. 2. *And be it further resolved,* That the Secretary of War be, and he is hereby, authorized and required to appoint a competent person to arrange and prepare for publication the official documents relating to the rebellion and the operations of the army of the United States, who shall prepare a plan for said publication and estimates of the cost thereof, to be submitted to Congress at its next session.

Vol. xiii. p. 406. Certain official documents to be arranged and prepared for publication.

SEC. 3. *And be it further resolved,* That the person whose appointment is hereby authorized shall receive a compensation for his services not to exceed two thousand five hundred dollars per annum, to be paid monthly by the Secretary *by* [of] the Treasury, out of any moneys in the treasury not otherwise appropriated: *Provided,* That said compensation shall not be paid for a longer period than two years from and after the passage of this resolution.

Plan and estimates of cost. Compensation of person doing the service.

Proviso.

APPROVED, July 27, 1866.

[No. 92.] *A Resolution for the temporary Relief of the Sufferers by the late Fire in Portland, in the State of Maine.* July 27, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of internal revenue is hereby authorized to suspend the collection of such taxes as may have been assessed, or as may have accrued prior to the fifth day of July, eighteen hundred and sixty-six, in the first collection district of the State of Maine, against any person residing or doing business and owning property in that portion of the city of Portland recently destroyed by fire, and who, in the opinion of said commissioner, has suffered material loss by such fire: *Provided,* That such suspension shall not be continued after the close of the next session of Congress.

Collection of certain internal revenue taxes in Portland, Maine, may be suspended.

Proviso.

APPROVED, July 27, 1866.

[No. 93.] *Joint Resolution to enable the Secretary of the Treasury to furnish to each State one Set of the Standard Weights and Measures of the Metric System.* July 27, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to furnish to each State, to be delivered to the governor thereof, one set of the standard weights and measures of the metric system for the use of the States respectively.

A set of standard weights and measures of metric system to be furnished each State.

APPROVED, July 27, 1866.

July 28, 1866. [No. 96.] *Joint Resolution in Relation to the Use of the Soldiers' and Sailors' Orphan Fair Building, in Washington.*

Preamble.

WHEREAS the House has been informed that certain peaceable and law-abiding citizens, while assembled at and within the building recently erected in this city for the benefit of orphans of deceased soldiers and sailors of the United States, situate on the corner of Seventh Street and Pennsylvania Avenue, have been illegally and improperly dispersed by the mayor of this city, for the alleged reason that they belonged to a Fenian organization, and thus prevented from exercising their rights and privileges as citizens of the United States: Therefore,

Certain citizens may be authorized to use a certain building in Washington for public meetings.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said citizens are hereby authorized, whenever permitted so to do by the Speaker of this House, or the President of the Senate, to use and to occupy said building for the purpose of holding meetings for any proper and lawful purpose, and particularly in reference to the liberation of Ireland.

APPROVED, July 28, 1866.

July 28, 1866. [No. 97.] *Joint Resolution for the Relief of certain Chippewa, Ottawa, and Pottawatomie Indians.*

The payment of \$39,000 to be made to certain Michigan Indians.
Vol. ix. p. 853.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to the Chippewa, Ottawa, and Pottawatomie Indians of Michigan, in pursuance of an agreement and compromise made with the Pottawatomie nation of Indians so named and designated by the treaty of eighteen hundred and forty-six, with the United States, the sum of thirty-nine thousand dollars, in full of all claims in favor of said Michigan Indians either against the United States or said nation of Indians, past, present, or future, arising out of any treaty made with them or any band or confederation thereof, and the annuity now paid to them is to be restored, and paid to said nation for the future. Said sum of thirty-nine thousand dollars is to be paid out of funds of said Indians, by the United States now held in trust for said nation, drawing interest at the rate of five per cent, which amount is hereby appropriated, said payment to be made per capita direct to heads of families, adults, and guardians of minors, as is now required by law in reference to annuities, by the proper agent of the government.

Annuity now paid to be restored.

Payment to be made from what funds and how.

APPROVED, July 28, 1866.

July 28, 1866. [No. 98.] *Joint Resolution authorizing a Contract with Vinnie Ream for a Statue of Abraham Lincoln.*

A contract may be made with Miss Vinnie Ream for statue of President Lincoln.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to contract with Miss Vinnie Ream for a life-size model and statue of the late President Abraham Lincoln, to be executed by her at a price not exceeding ten thousand dollars; one half payable on completion of the model in plaster, and the remaining half on completion of the statue in marble to his acceptance.

APPROVED, July 28, 1866.

July 28, 1866. [No. 99.] *Joint Resolution to extend the Provisions of the Act of July fourth, eighteen hundred and sixty-four, limiting the Jurisdiction of the Court of Claims to the loyal Citizens of Tennessee.*

Provisions of act 1864, ch. 240, extended to loyal

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the fourth of July, eighteen hundred and sixty-four, entitled "An act

to limit the jurisdiction of the court of claims," is hereby extended to the loyal citizens of the State of Tennessee. citizens of Tennessee.

APPROVED, July 28, 1866.

[No. 100.] *Joint Resolution authorizing the Transmission through the Mails, free of Postage, of certain Certificates, by the Adjutant-General of New Jersey.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant-general of New Jersey be authorized to transmit through the mails, free of postage, certain certificates of thanks awarded by the legislature to the soldiers of that State, under such regulations as the postmaster-general may direct. The adjutant-general of New Jersey may send free by mail certificates of thanks awarded to the soldiers of that State.

APPROVED, July 28, 1866.

[No. 101.] *Joint Resolution authorizing the Secretary of War to settle with the Territory of Colorado for the Militia of said Territory employed in the Service of the United States in the Years eighteen hundred and sixty-four and eighteen hundred and sixty-five.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to settle with the proper authorities of the Territory of Colorado, for the services of the first regiment of Colorado mounted militia, called into the service of the United States on the requisition of Colonel Thomas Moonlight, in the year eighteen hundred and sixty-five, and for the services of any other militia forces of the said Territory which were employed in the service of the United States on the call of the governor of the Territory in the year eighteen hundred and sixty-four, allowing in such settlement all amounts paid by the Territory to the said troops for pay, use of horses, clothing and other proper allowances during the time when they were so actually in service, and that he report the amount found to be justly due to said Territory on such account to Congress in December next. The Territory of Colorado to be settled with for the services of its militia forces.

Amount found due to be reported to Congress.

APPROVED, July 28, 1866.

[No. 102.] *Joint Resolution to prevent the further Enforcement of the Joint Resolution, (No. 77,) approved July 4, 1864, against Officers and Soldiers of the United States, who have been honorably discharged, so as to relieve them from the further Payment of the special Five Per Cent Income Tax imposed thereby.* July 28, 1866. Vol. xiii. p. 417.

WHEREAS by the Joint Resolution (No. 77) of Congress, approved July fourth, eighteen hundred and sixty-four, a special income tax of five per cent on all incomes exceeding six hundred dollars was directed to be assessed and collected and was enforced generally upon all citizens accessible to the revenue officers, but was not enforced against all our soldiers then in the field in the active service of the country; and whereas since the surrender of the insurrectionary armies, and the disbanding and return of the federal soldiers to their homes, said tax is being with manifest hardship assessed and collected of them in many parts of the country: Therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said special tax, so imposed, shall not be further enforced against officers or soldiers lately in the service of the United States, and who have been honorably discharged therefrom, and that the Secretary of the Treasury direct the proper observance of this resolution by all revenue officers. Special income tax not to be further enforced against certain officers and soldiers.

APPROVED, July 28, 1866.

APPENDIX.

No. 1.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 2, 1863.

A PROCLAMATION.

WHEREAS, by proclamations of the fifteenth and nineteenth of April, one thousand eight hundred and sixty-one, the President of the United States, in virtue of the power vested in him by the Constitution and the laws, declared that the laws of the United States were opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law ;

Preamble.
Vol. xii. p. 1258.

And whereas, by another proclamation, made on the sixteenth day of August, in the same year, in pursuance of an act of Congress approved July thirteen, one thousand eight hundred and sixty-one, the inhabitants of the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida (except the inhabitants of that part of the State of Virginia lying west of the Alleghany Mountains, and of such other parts of that State and the other States before named, as might maintain a loyal adhesion to the Union and the Constitution, or might be from time to time occupied and controlled by forces of the United States engaged in the dispersion of insurgents) were declared to be in a state of insurrection against the United States ;

Vol. xii. p. 1262.
1861, ch. 3, § 5.
Vol. xii. p. 257.

And whereas, by another proclamation, of the first day of July, one thousand eight hundred and sixty-two, issued in pursuance of an act of Congress approved June seven, in the same year, the insurrection was declared to be still existing in the States aforesaid, with the exception of certain specified counties in the State of Virginia ;

Vol. xii. p. 1266.

And whereas, by another proclamation, made on the second day of April, one thousand eight hundred and sixty-three, in pursuance of the act of Congress of July thirteen, one thousand eight hundred and sixty-one, the exceptions named in the proclamation of August sixteen, one thousand eight hundred and sixty-one were revoked, and the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia (except the forty-eight counties of Virginia designated as West Virginia, and the ports of New Orleans, Key West, Port Royal, and Beaufort, in North Carolina) were declared to be still in a state of insurrection against the United States ;

Vol. xiii. p. 730.
1861, ch. 3, § 5.
Vol. xii. p. 257.

And whereas the House of Representatives, on the twenty-second day of July, one thousand eight hundred and sixty-one, adopted a resolution in the words following, namely :—

“Resolved by the House of Representatives of the Congress of the United States, That the present deplorable civil war has been forced upon the country by the disunionists of the southern States, now in revolt against the Constitutional government, and in arms around the capital ; that in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country ; that this war is not waged upon our part in any spirit of oppression nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired ; and that as soon as these objects are accomplished the war ought to cease.”

Preamble.

And whereas the Senate of the United States, on the twenty-fifth day of July, one thousand eight hundred and sixty-one, adopted a resolution in the words following, to wit:—

“*Resolved*, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in revolt against the Constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feeling of mere passion or resentment, will recollect only its duty to the whole country; that this war is not prosecuted upon our part in any spirit of oppression nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished the war ought to cease.”

And whereas these resolutions, though not joint or concurrent in form, are substantially identical, and as such may be regarded as having expressed the sense of Congress upon the subject to which they relate;

Vol. xiii. p. 763.

And whereas, by my proclamation of the thirteenth day of June last, the insurrection in the State of Tennessee was declared to have been suppressed, the authority of the United States therein to be undisputed, and such United States officers as had been duly commissioned to be in the undisturbed exercise of their official functions;

And whereas there now exists no organized armed resistance of misguided citizens or others to the authority of the United States in the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida, and the laws can be sustained and enforced therein by the proper civil authority, State or Federal, and the people of said States are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment to the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States;

And whereas, in view of the before-recited premises, it is the manifest determination of the American people that no State, of its own will, has the right or the power to go out of, or separate itself from, or be separated from the American Union, and that therefore each State ought to remain and constitute an integral part of the United States;

And whereas the people of the several before-mentioned States have, in the manner aforesaid, given satisfactory evidence that they acquiesce in this sovereign and important resolution of national unity;

And whereas it is believed to be a fundamental principle of government that people who have revolted, and who have been overcome and subdued, must either be dealt with so as to induce them voluntarily to become friends, or else they must be held by absolute military power, or devastated, so as to prevent them from ever again doing harm as enemies, which last-named policy is abhorrent to humanity and to freedom;

And whereas the Constitution of the United States provides for constituent communities only as States, and not as Territories, dependencies, provinces, or protectorates;

And whereas such constituent States must necessarily be, and by the Constitution and laws of the United States are made equals, and placed upon a like footing as to political rights, immunities, dignity, and power with the several States with which they are united;

And whereas the observance of political equality as a principle of right and justice is well calculated to encourage the people of the aforesaid States to be and become more and more constant and persevering in their renewed allegiance;

And whereas standing armies, military occupation, martial law, military tribunals, and the suspension of the privilege of the writ of habeas corpus are, in time of peace, dangerous to public liberty, incompatible with the individual rights of the citizen, contrary to the genius and spirit of our free institutions, and exhaustive of the national resources, and ought not, therefore, to be sanctioned or allowed, except in cases of actual necessity, for repelling invasion or suppressing insurrection or rebellion;

And whereas the policy of the government of the United States, from the beginning of the insurrection to its overthrow and final suppression, has been in conformity with the principles herein set forth and enumerated;

Now, therefore, I, ANDREW JOHNSON, president of the United States, do hereby proclaim and declare that the insurrection which heretofore existed in

the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida is at an end, and is henceforth to be so regarded. The insurrection declared at an end in certain States of the Union.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this second day of April, in the year
[SEAL.] of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

No. 2.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: June 6, 1866.

A PROCLAMATION.

WHEREAS it has become known to me that certain evil-disposed persons have, within the territory and jurisdiction of the United States, begun and set on foot and have provided and prepared and are still engaged in providing and preparing means for a military expedition and enterprise, which expedition and enterprise is to be carried on from the territory and jurisdiction of the United States against colonies, districts and people of British North America within the dominions of the United Kingdom of Great Britain and Ireland, with which said colonies, districts and people and Kingdom the United States are at peace; And whereas the proceedings aforesaid constitute a high misdemeanor, forbidden by the laws of the United States as well as by the law of nations:

Now, therefore, for the purpose of preventing the carrying on of the unlawful expedition and enterprise aforesaid from the territory and jurisdiction of the United States and to maintain the public peace, as well as the national honor, and enforce obedience and respect to the laws of the United States, I, ANDREW JOHNSON, President of the United States, do admonish and warn all good citizens of the United States against taking part in or in anywise aiding, countenancing or abetting said unlawful proceedings; and I do exhort all judges, magistrates, marshals and officers in the service of the United States to employ all their lawful authority and power to prevent and defeat the aforesaid unlawful proceedings, and to arrest and bring to justice all persons who may be engaged therein.

And pursuant to the act of Congress in such case made and provided, I do furthermore authorize and empower Major-General George G. Meade, Commander of the Military Division of the Atlantic, to employ the land and naval forces of the United States and the militia thereof, to arrest and prevent the setting on foot and carrying on the expedition and enterprise aforesaid.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this sixth day of June, in the year of
[SEAL.] our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Preamble.

All citizens warned against violating neutrality laws.

Major-General Meade authorized to employ army and navy and militia to prevent the carrying on the enterprise.

No. 3.

August 17, 1866. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

WHEREAS a war is existing in the Republic of Mexico, aggravated by foreign military intervention;

And whereas the United States, in accordance with their settled habits and policy, are a neutral power in regard to the war which thus afflicts the Republic of Mexico;

And whereas it has become known that one of the belligerents in the said war, namely, the Prince Maximilian, who asserts himself to be Emperor in Mexico, has issued a decree in regard to the port of Matamoras, and other Mexican ports which are in the occupation and possession of another of the said belligerents, namely, the United States of Mexico, which decree is in the following words:—

“The port of Matamoras, and all those of the northern frontier which have withdrawn from their obedience to the government, are closed to foreign and coasting traffic during such time as the empire of the law shall not be therein reinstated.

“ART. 2d. Merchandise proceeding from the said ports, on arriving at any other where the excise of the Empire is collected, shall pay the duties on importation, introduction, and consumption; and on satisfactory proof of contravention shall be irremissibly confiscated. Our Minister of the Treasury is charged with the punctual execution of this decree.

“Given at Mexico, the 9th of July, 1866.”

And whereas the decree thus recited, by declaring a belligerent blockade unsupported by competent military or naval force, is in violation of the neutral rights of the United States, as defined by the law of nations, as well as of the treaties existing between the United States of America and the aforesaid United States of Mexico:

Decree of blockade of Matamoras and other Mexican ports declared null and void.

Now, therefore, I, ANDREW JOHNSON, President of the United States, do hereby proclaim and declare, that the aforesaid decree is held, and will be held, by the United States to be absolutely null and void, as against the government and citizens of the United States; and that any attempt which shall be made to enforce the same against the government or the citizens of the United States will be disallowed.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington the seventeenth day of August, in the year of our Lord one thousand eight hundred and sixty-six, and [SEAL.] of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 4.

August 20, 1866. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

Vol. xii. p. 1258.

WHEREAS, by proclamations of the fifteenth and nineteenth of April, eighteen hundred and sixty-one, the President of the United States, in virtue of the power vested in him by the Constitution and the Laws, declared that the laws of the United States were opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law;

And whereas, by another proclamation, made on the sixteenth day of August, in the same year, in pursuance of an act of Congress approved July thirteen, one thousand eight hundred and sixty-one, the inhabitants of the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida, (except the inhabitants of that part of the State of Virginia lying west of the Alleghany Mountains, and except also the inhabitants of such other parts of that State, and the other States before named, as might maintain a loyal adhesion to the Union and the Constitution, or might be from time to time occupied and controlled by forces of the United States engaged in the dispersion of insurgents,) were declared to be in a state of insurrection against the United States;

Vol. xii. p. 1262.
1861, ch. 3, § 5.
Vol. xii. p. 257.

And whereas, by another proclamation, of the first day of July, one thousand eight hundred and sixty-two, issued in pursuance of an act of Congress, approved June seventh, in the same year, the insurrection was declared to be still existing in the States aforesaid, with the exception of certain specified counties in the State of Virginia;

Vol. xii. p. 1266.
1862, ch. 98, § 2.
Vol. xii. p. 422.

And whereas, by another proclamation, made on the second day of April, one thousand eight hundred and sixty-three, in pursuance of the act of Congress of July thirteen, one thousand eight hundred and sixty-one, the exceptions named in the proclamation of August sixteen, one thousand eight hundred and sixty-one, were revoked, and the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia (except the forty-eight counties of Virginia designated as West Virginia, and the ports of New Orleans, Key West, Port Royal, and Beaufort, in North Carolina) were declared to be still in a state of insurrection against the United States;

Vol. xiii. p. 730.
1861, ch. 3, § 5.
Vol. xii. p. 257.

And whereas, by another proclamation of the fifteenth day of September, one thousand eight hundred and sixty-three, made in pursuance of the act of Congress approved March third, one thousand eight hundred and sixty-three, the rebellion was declared to be still existing, and the privilege of the writ of habeas corpus was in certain specified cases suspended throughout the United States — said suspension to continue throughout the duration of the rebellion, or until said proclamation should, by a subsequent one to be issued by the President of the United States, be modified or revoked;

Vol. xiii. p. 734.
1863, ch. 81.
Vol. xii. p. 755.

And whereas the House of Representatives, on the twenty-second day of July, one thousand eight hundred and sixty-one, adopted a resolution in the words following, namely:—

“*Resolved* by the House of Representatives of the Congress of the United States, That the present deplorable civil war has been forced upon the country by the disunionists of the southern States, now in revolt against the Constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged upon our part in any spirit of oppression nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished the war ought to cease.”

And whereas, the Senate of the United States, on the twenty-fifth day of July, one thousand eight hundred and sixty-one, adopted a resolution in the words following, to wit:—

“*Resolved*, That the present deplorable civil war has been forced upon the country by the disunionists of the southern States, now in revolt against the Constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feeling of mere passion or resentment, will recollect only its duty to the whole country; that this war is not prosecuted upon our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished the war ought to cease.”

And whereas these resolutions, though not joint or concurrent in form, are substantially identical, and as such have hitherto been and yet are regarded as having expressed the sense of Congress upon the subject to which they relate;

And whereas, the President of the United States by proclamation of the

Vol. xiii. p. 763.

Preamble.

thirteenth of June, eighteen hundred and sixty-five, declared that the insurrection in the State of Tennessee had been suppressed, and that the authority of the United States therein was undisputed, and that such United States officers as had been duly commissioned were in the undisturbed exercise of their official functions;

Ante, Appendix, p. i.

And whereas, the President of the United States, by further proclamation issued on the second day of April, one thousand eight hundred and sixty-six, did promulgate and declare, that there no longer existed any armed resistance of misguided citizens, or others, to the authority of the United States in any, or in all the States before mentioned, excepting only the State of Texas, and did further promulgate and declare that the laws could be sustained and enforced in the several States before mentioned, except Texas, by the proper civil authorities, State, or Federal, and that the people of the said States, except Texas, are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment to the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States;

And did further declare in the same proclamation that it is the manifest determination of the American people that no State, of its own will, has a right or power to go out of or separate itself from, or be separated from the American Union; and that, therefore, each State ought to remain and constitute an integral part of the United States;

And did further declare in the same last-mentioned proclamation, that the several aforementioned States, excepting Texas, had, in the manner aforesaid, given satisfactory evidence that they acquiesce in this sovereign and important resolution of national unity;

And whereas, the President of the United States in the same proclamation did further declare that it is believed to be a fundamental principle of government that the people who have revolted, and who have been overcome and subdued, must either be dealt with so as to induce them voluntarily to become friends, or else they must be held by absolute military power, or devastated, so as to prevent them from ever again doing harm as enemies, which last-named policy is abhorrent to humanity and to freedom;

And whereas, the President did in the same proclamation further declare, that the Constitution of the United States provides for constituent communities only as States, and not as Territories, dependencies, provinces or protectorates;

And further, that such constituent States must necessarily be, and by the Constitution and laws of the United States are made equals, and placed upon a like footing as to political rights, immunities, dignity and power with the several States with which they are united;

And did further declare, that the observance of political equality as a principle of right and justice is well calculated to encourage the people of the before-named States, except Texas, to be, and to become more and more constant and persevering in their renewed allegiance;

And whereas, the President did further declare that standing armies, military occupation, martial law, military tribunals, and the suspension of the writ of habeas corpus are, in time of peace, dangerous to public liberty, incompatible with the individual rights of the citizen, contrary to the genius and spirit of our free institutions, and exhaustive of the national resources, and ought not, therefore, to be sanctioned, or allowed, except in cases of actual necessity, for repelling invasion or suppressing insurrection or rebellion;

And the President did further in the same proclamation declare that the policy of the government of the United States from the beginning of the insurrection to its overthrow and final suppression, had been conducted in conformity with the principles in the last-named proclamation recited;

And whereas, the President in the said proclamation of the thirteenth of June, one thousand eight hundred and sixty-five, upon the grounds therein stated and hereinbefore recited, did then and thereby proclaim and declare that the insurrection which heretofore existed in the several States before named, except in Texas, was at an end, and was henceforth to be so regarded;

And whereas, subsequently to the said second day of April, one thousand eight hundred and sixty-six, the insurrection in the State of Texas has been completely and everywhere suppressed and ended, and the authority of the United States has been successfully and completely established in the said State of Texas, and now remains therein unresisted and undisputed, and such of the proper United States officers as have been duly commissioned within the limits of the said State, are now in the undisturbed exercise of their official functions;

And whereas, the laws can now be sustained and enforced in the said State of Texas, by the proper civil authority, State or Federal, and the people of the said State of Texas, like the people of the other States before named, are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment of the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States;

Preamble.

And whereas all the reasons and conclusions set forth in regard to the several States therein specially named now apply equally and in all respects to the State of Texas, as well as to the other States which has been involved in insurrection;

And whereas, adequate provision has been made by military orders, to enforce the execution of the acts of Congress, aid the civil authorities, and secure obedience to the Constitution and laws of the United States within the State of Texas, if a resort to military force for such purpose should at any time become necessary;

Now, therefore, I, ANDREW JOHNSON, President of the United States, do hereby proclaim and declare that the insurrection which heretofore existed in the State of Texas is at an end, and is to be henceforth so regarded in that State, as in the other States before named, in which the said insurrection was proclaimed to be at an end, by the aforesaid proclamation of the second day of April, one thousand eight hundred and sixty-six.

The insurrection in Texas declared to be at an end.

And I do further proclaim that the said insurrection is at an end, and that peace, order, tranquillity and civil authority now exist in and throughout the whole of the United States of America.

The insurrection at an end, and peace, &c. exist throughout the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth day of August, in the [SEAL.] year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

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PRIVATE LAWS
OF THE
UNITED STATES OF AMERICA,
PASSED AT THE FIRST SESSION
OF THE
THIRTY-NINTH CONGRESS;
1865-1866.

Carefully collated with the Originals at Washington.

EDITED BY
GEORGE P. SANGER,
COUNSELLOR AT LAW.

The rights and interest of the United States in the stereotype plates from which this work is printed, are hereby recognized, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 3, 1845.

TO BE CONTINUED ANNUALLY.

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1866.

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LIST

OF THE

PRIVATE ACTS AND RESOLUTIONS

OF CONGRESS

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PRIVATE ACTS OF THE THIRTY-NINTH CONGRESS

OF THE

UNITED STATES,

Passed at the First Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fourth day of December, A. D. 1865, and ended on Saturday, the twenty-eighth day of July, A. D. 1866.

ANDREW JOHNSON, President. LA FAYETTE S. FOSTER, President of the Senate. LA FAYETTE S. FOSTER was elected President of the Senate *pro tempore* on the seventh day of March, and so acted until the end of the Session. SCHUYLER COLFAX, Speaker of the House of Representatives.

CHAP. IV. — *An Act for the Relief of Mrs. Mary Lincoln, Widow of the late President of the United States.* Dec. 21, 1865.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Lincoln, widow of Abraham Lincoln, late President of the United States, or, in the event of her death before payment, then to the legal representatives of the said Abraham Lincoln, the sum of twenty-five thousand dollars: *Provided always,* That any sum of money which shall have been paid to the personal representatives of the said Abraham Lincoln since his death, on account of his salary as President of the United States for the current year, shall be deducted from the said sum of twenty-five thousand dollars.

\$25,000 to be paid to Mrs. Mary Lincoln.

Proviso.

APPROVED, December 21, 1865.

CHAP. VII. — *An Act for the Relief of Charles F. Anderson.*

Feb. 7, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Charles F. Anderson, architect, out of any money in the treasury not otherwise appropriated, the sum of seven thousand five hundred dollars, in full, for time, labor, and expense in preparing plans and drawings for the Capitol extension.

Payment of \$7,500 to Charles F. Anderson.

APPROVED, February 7, 1866.

CHAP. XI. — *An Act for the Relief of Charlotte Bence, Widow of Philip H. Bence, late Captain of Company F, Thirtieth Regiment Iowa Volunteer Infantry.* Feb. 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Charlotte Bence, of Bloomfield, Davis county, Iowa, widow of Captain Philip H. Bence, of company F, thirtieth regiment of Iowa volunteers, on the pension roll, at the rate of twenty dollars per month, from and after the passage of this act, for and during her widowhood.

Pension to Charlotte Bence.

APPROVED, February 17, 1866.

March 8, 1866.

CHAP. XIV. — *An Act for the Relief of the Heirs of James Bawdin.*

Patent to heirs
of James Bawdin
for land at Eagle
Harbor.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on payment to the United States of one dollar and twenty-five cents per acre therefor, the Commissioner of the General Land Office shall cause a patent to be issued to the heirs of James Bawdin for that tract of land lying and being at Eagle Harbor, on Lake Superior, situate upon the north part of section number six, in township number fifty-eight north, of range number thirty west, in the Sault Ste. Marie land district, State of Michigan, containing about six and fifty-four hundredths acres of land, and being all that part of the lands known as the light-house reservation at Eagle Harbor, which lies east of the dotted line marked "S. 86° 45' E. 12. 76 chains," as shown on the plat of "Bawd[i]n's Survey" of said reservation in the office of said Commissioner of the General Land Office, except so much of said lands as may be required for the use of a road four rods wide, from the light-house across said six and fifty-four hundredths acres to the waters of said harbor, as the same is now laid out and used for that purpose: *Provided,* That this act shall only be construed to be a relinquishment of the title of the United States, and shall not interfere with the rights of third persons.

APPROVED, March 8, 1866.

March 22, 1866.

CHAP. XXIII. — *An Act for the Relief of Robert Henne.*

Pension of
Robert Henne
increased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, authorized and directed to increase the pension of Robert Henne, late of company I, twelfth Missouri infantry, from seventeen dollars per month to twenty-five dollars per month, and to pay him such increased pension from the passage of this act.

APPROVED, March 22, 1866.

April 7, 1866.

CHAP. XXX. — *An Act for the Benefit of John W. Campbell.*

Credit of
\$4,770 to be al-
lowed to John
W. Campbell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and required to allow John W. Campbell, late quartermaster seventh Kentucky cavalry, on settlement of his accounts, a credit of four thousand seven hundred and seventy dollars, money expended by him for the use of the said regiment, the vouchers and accounts for which were destroyed and lost by falling into the hands of the enemy at Cynthiana, July seventeenth; Big Hill, August twenty-third; and Richmond, Kentucky, August thirtieth day, eighteen hundred and sixty-two, respectively, if on examining the evidence by the Quartermaster-General the said Quartermaster-General shall deem him justly entitled to said credit; but said credit shall not be allowed without the said Quartermaster-General shall certify his approval thereof.

Approved, April 7, 1866.

April 10, 1866.

CHAP. XXXIV. — *An Act for the Relief of J. B. Rittenhouse, Fleet-Paymaster of the Pacific Squadron.*

J. B. Ritten-
house to be re-
leased from ac-
countability for
money stolen, on
proving larceny.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed, in the settlement of the accounts of J. B. Rittenhouse, fleet-paymaster of the Pacific squadron, to release him from all accountability for the amount of

thirteen thousand five hundred and nine dollars, public money, stolen from him on the evening of October thirty, eighteen hundred and sixty-five, while on duty at Panama, or such portion thereof as he may or shall fail to recover: *Provided*, That no part of said money shall be allowed said Rittenhouse until the proper accounting officers of the government are satisfied upon full and complete evidence of the larceny of the money alleged to have been stolen.

APPROVED, April 10, 1866.

CHAP. XXXV.—*An Act granting a Pension to Sarah Fitzgibbon.*

April 10, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Sarah Fitzgibbon, widow of Thomas C. Fitzgibbon, late major of the fourteenth Michigan volunteer infantry, upon the pension rolls, at twenty-five dollars per month from the first day of May, one thousand eight hundred and sixty-five: *Provided*, That in the event of the marriage or death of said Sarah Fitzgibbon, *that* the pension allowed by this act shall be continued to the children of the late Major Thomas C. Fitzgibbon, subject to the limitation and restrictions now imposed by existing pension laws.

Pension to
Sarah Fitzgib-
bon.

Proviso.

APPROVED, April 10, 1866.

CHAP. XXXVI.—*An Act for the Relief of F. A. Patterson, late Captain of the Third Virginia Cavalry.*

April 10, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay Captain F. A. Patterson full amount of pay and emoluments as a captain of the third Virginia cavalry from the twenty-fifth day of November, eighteen hundred and sixty-two, the date of his commission by the governor of Virginia, to the date of muster out of his regiment.

Payment to F.
A. Patterson.

APPROVED, April 10, 1866.

CHAP. XXXVII.—*An Act for the Relief of Jane W. Nethaway.*

April 10, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place upon the pension rolls the name of Jane W. Nethaway, of the town of Ohio, county of Herkimer, and State of New York, widow of David Nethaway, late of the eighty-first regiment New York volunteers; the said pension to begin on the twenty-ninth day of September, eighteen hundred and sixty-four, and to continue during her widowhood, at the rate allowed by law to the widow of a first lieutenant.

Pension to
Jane W. Netha-
way.

SEC. 2. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle and adjust the accounts of the said David Nethaway, late of the eighty-first regiment New York volunteers, as a second lieutenant from June third, eighteen hundred and sixty-four, to August eleventh, eighteen hundred and sixty-four, inclusive, and as a first lieutenant from August twelfth, eighteen hundred and sixty-four, to September twenty-ninth, eighteen hundred and sixty-four, inclusive.

Accounts of
David Netha-
way to be set-
tled.

APPROVED, April 10, 1866.

April 10, 1866.

CHAP. XXXVIII. — *An Act for the Relief of Emma J. Hall.*Pension to
Emma Jane
Hall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, authorized and directed to place the name of Emma Jane Hall, widow of Perry Hall, deceased, late a chaplain in the seventy-ninth regiment, Indiana volunteers, upon the pension rolls, at the rate now prescribed by law for officers of his rank, and to be continued during her widowhood.

APPROVED, April 10, 1866.

April 12, 1866.

CHAP. XLII. — *An Act to confirm unto Augustin Amiot, his legal Assigns and Representatives, a certain Lot of Ground in the City of Saint Louis, in the State of Missouri.*Preamble.
1860, ch. 188.
Vol. xii. p. 85.

WHEREAS, under the act of Congress approved June twenty-second, eighteen hundred and sixty, entitled "An Act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," the recorder of land titles for the city of Saint Louis, for the State of Missouri, has reported to the Commissioner of the General Land Office that there ought to be confirmed to Augustin Amiot, or to his legal representatives, under class one, under the third section of the act aforesaid, the lot of ground in the town of Saint Louis, Missouri, described as follows: commencing at the northwest corner of the lot in block number forty-six, being the northwest corner of the block at the intersection of Sycamore and Second streets; thence south fifty-eight degrees forty-one minutes east, along the south edge of Sycamore street to the northern boundary of the lot one hundred and sixty feet five inches, the northeast corner of the lot at the south edge of Sycamore street; thence south thirty degrees thirty minutes west, along the eastern boundary of the lot, one hundred and twenty-eight feet four inches, the southeast corner of the lot; thence north fifty-eight degrees forty-one minutes west, along the southern boundary of the lot, one hundred and sixty feet five inches, the southwest corner of the lot at the east edge of Second street; thence north thirty degrees thirty minutes east, along the east edge of Second street to the western boundary of the lot, one hundred and twenty-eight feet four inches, the beginning northwest corner of the lot, the said lot of ground being one hundred and twenty by one hundred and fifty French feet; and whereas the Commissioner of the General Land Office has approved the report of the said recorder of land titles, and has reported the same to Congress for its action; Therefore —

Lot in St.
Louis confirmed
to Augustin
Amiot.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said lot of ground in the city of Saint Louis, Missouri, be, and the same is hereby, confirmed unto the said Augustin Amiot, his legal assigns and representatives, and that all the right, title, and interest of the United States in and to the same be, and the same is hereby, granted and confirmed unto the said Augustin Amiot, his legal assigns and representatives.

APPROVED, April 12, 1866.

April 12, 1866.

CHAP. XLIII. — *An Act for the Relief of the Estate of E. W. Eddy.*Estate of E.
W. Eddy to be
credited with
\$200,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and required to allow to the estate of E. W. Eddy, late paymaster in the U. S. army, a credit of two hundred thousand dollars, the amount of public funds in his hands as paymaster on board the steamer "Brother Jonathan," lost by the wreck of said steamer, on the thirtieth day of July, eighteen hundred and sixty-five, off the coast of California: *Provided,* That the final order for the allowance of the said credit shall not be made until the whole subject

connected with the said alleged loss shall be fully investigated by the Paymaster-General, and he shall certify to the proper department of the government that the loss of the vessel has been fully proved.

APPROVED, April 12, 1866.

CHAP. XLIX. — *An Act for the Relief of the Administrators and Securities of Almon W. Babbitt, late Secretary of Utah.* April 17, 1866.

WHEREAS Almon W. Babbitt, as secretary of the Territory of Utah, in the summer of eighteen hundred and fifty-six, had advanced to him by the Treasury Department, at the city of Washington, twenty-six thousand and five hundred dollars; that a portion of this sum was properly expended by him in the purchase of stationery, carpeting, and other property for the offices of the Territory, and in the purchase of oxen and wagons to transport the said property, together with a quantity of books, belonging to the Territory, from Council Bluffs to Salt Lake City; and while upon the route, not far from Fort Kearney, the said Babbitt and most of the men with him were murdered, the teams taken, and property destroyed by Indians; and whereas there is now standing against said Babbitt upon the books of the Treasury Department a balance of twelve thousand and nine hundred and seventy-two dollars; and it is satisfactorily proven that the property destroyed by said Indians amounted in value to a sum larger than said balance: Therefore,

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the administrators, heirs, and securities of said Babbitt be, and they are hereby, released and discharged from the payment of said balance, and from all liability on account of the same and of said moneys received from the Treasury Department, as aforesaid.

Administrators, &c., of Almon W. Babbitt released.

APPROVED, April 17, 1866.

CHAP. L. — *An Act granting a Pension to Mrs. Altazera L. Willcox, of Chenango County, in the State of New York.*

April 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Altazera L. Willcox, of Chenango county, in the State of New York, widow of William Willcox, late a private in company "B," in the One Hundred and Fourteenth regiment, New York Volunteers, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and to continue during her widowhood.

Pension to Altazera L. Willcox.

APPROVED, April 17, 1866.

CHAP. LI. — *An Act granting a Pension to Mrs. Isabella Fogg, of the State of Maine.*

April 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Mrs. Isabella Fogg, of the State of Maine, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and to continue during her natural life; she, the said Isabella Fogg, having been totally disabled while acting as nurse on board the United States hospital boat near Louisville, in the State of Kentucky.

Pension to Isabella Fogg.

APPROVED, April 17, 1866.

April 17, 1866.

CHAP. LII. — *An Act granting Pension to Virginia K. V. Moore.*Pension to
Virginia K. V.
Moore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Virginia K. V. Moore, daughter of Richard D. Moore, deceased, late of Co. "K," seventy-second regiment Illinois Volunteers, on the list of invalid pensioners, and pay to her, or her legally appointed guardian, the sum of eight dollars per month, from December third, eighteen hundred and sixty-three, the date of the death of Richard D. Moore, until she shall have attained the age of sixteen years.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LIII. — *An Act granting a Pension to Mrs. Elizabeth York, widow of Shubal York, late a Surgeon in the Fifty-fourth Regiment Illinois Infantry, Volunteers.*Pension to
Elizabeth York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Elizabeth York, widow of Shubal York, late a surgeon in the Fifty-fourth regiment Illinois volunteer infantry, on the pension rolls, at the rate of twenty-five dollars per month, to commence from and after the passage of this act, and to continue during her widowhood.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LIV. — *An Act for the Relief of Charles Youly.*Payment to
Charles Youly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, directed to pay, out of any funds which may have been appropriated for the payment of pensions, to Charles Youly, of Dunkirk, Cha[u]tauqua county, New York, late a private of company "D," seventy-second regiment, New York Volunteers, the sum of one hundred and thirty-five dollars and thirty-three and one-third cents, it being at the rate of five dollars per month, from the twenty-fifth day of November, eighteen hundred and sixty-two, to the twenty-seventh day of February, eighteen hundred and sixty-five.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LV. — *An Act for the Relief of Nicholas Hibner, late a Private in the Sixth Regiment Missouri State Militia.*Pension to
Nicholas Hibner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Nicholas Hibner, of Caldwell county, Missouri, and late a private in the sixth regiment (cavalry) Missouri State militia, commanded by Col. Catherwood, upon the list of pensioners, at the rate of eight dollars per month, to commence on the passage of this act, and to continue during his natural life.

Approved, April 17, 1866.

April 17, 1866.

CHAP. LVI. — *An Act for the Relief of Albert Nevins.*Pension to Al-
bert Nevins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Albert Nevins, late a private in company "K," ninety-second regiment New York State volunteers, upon the list of pensioners at the rate of twenty-five dollars per month, in lieu of the eight dollars per month here-

tofore allowed him; to commence on the passage of this act, and to continue during his natural life.

APPROVED, April 17, 1866.

CHAP. LVII. — *An Act granting Pension to Lewis W. Dietrich.*

April 17, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Lewis W. Dietrich, late a second lieutenant of company "E," thirtieth regiment U. S. colored troops, on the pension list, and to pay him a pension at the rate of fifteen dollars per month; this act to take effect from and after its passage.

Pension to
Lewis W. Dietrich.

APPROVED, April 17, 1866.

CHAP. LVIII. — *An Act for the Relief of James G. Clarke.*

April 18, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby directed, out of any money in the treasury not otherwise appropriated, to pay to James G. Clarke the sum of six thousand four hundred and eighty-three dollars and ninety-six cents (\$6,483 96), in full for services as acting chargé d'affaires of the United States at Brussels from June eleventh, eighteen hundred and fifty-seven, to September twenty-seventh, eighteen hundred and fifty-eight.

Payment to
James G. Clarke.

APPROVED, April 18, 1866.

CHAP. LIX. — *An Act granting a Pension to Mrs. Sarah E. Wilson.*

April 18, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Sarah E. Wilson, widow of William H. Wilson, late acting surgeon United States volunteers, on the pension roll, at the rate of seventeen dollars per month, to commence from the passage of this act, and to continue during her widowhood.

Pension to
Sarah E. Wilson.

APPROVED, April 18, 1866.

CHAP. LX. — *An Act directing the Enrolment of Agnes W. Laughlin, the Widow of a deceased Soldier, as a Pensioner.*

April 18, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to enrol Agnes W. Laughlin, widow of William Laughlin, deceased, late a private in company "C" third Indiana cavalry, as entitled to a pension from first of January, eighteen hundred and sixty-five, to continue during her widowhood.

Pension to
Agnes W.
Laughlin.

APPROVED, April 18, 1866.

CHAP. LXI. — *An Act for the Relief of Ann Heth, Widow of William Heth, of Harrison County, Indiana.*

April 18, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, directed to place the name of Ann Heth, widow of William Heth, of Harrison county, in the State of Indiana, who was killed by the rebel Morgan's men, while resisting their advance upon Corydon, Indiana, upon the pension-roll, at the rate of eight dollars per month, to commence on the ninth day of July, eighteen hundred and sixty-three, and to continue during her widowhood.

Pension to
Ann Heth.

APPROVED, April 18, 1866.

April 18, 1866.

CHAP. LXII. — *An Act granting a Pension to Mrs. Emerance Gouler.*Pension to
Emerance
Gouler.

Amended.

See act 1866,
ch. 185.*Post*, p. 18.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Emerance Gouler, widow of Charles Gouler, late a private in company "F," ninth New Hampshire volunteers, on the pension roll, at the rate of eight dollars per month, to commence from the passage of this bill, and to continue during her widowhood.

APPROVED, April 18, 1866.

April 20, 1866.

CHAP. LXIV. — *An Act for the Relief of Thomas Hurly.*Pension to
Thomas Hurly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Thomas Hurly, late a private of company "K," eighth Tennessee cavalry upon the pension rolls, at the rate of twenty dollars per month, from and after the passage of this act, and to continue during his natural life.

APPROVED, April 20, 1866.

April 25, 1866.

CHAP. LXVI. — *An Act for the Relief [of] Thomas F. Wilson, late United States Consul at Bahia, Brazil.*Payment to
Thomas F.
Wilson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to Thomas F. Wilson, late United States Consul at Bahia fifteen hundred dollars, out of any money in the treasury not otherwise appropriated, in full compensation for extra services and for all other claims he may have against the Government, while in the service of the United States as Consul.

APPROVED, April 25, 1866.

April 25, 1866.

CHAP. LXVII. — *An Act for the Relief of Theodor G. Eiswald.*Two bonds to
be issued to
Theodor G. Eis-
wald in lieu of
two partially
destroyed.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to issue and pay to Theodor G. Eiswald, of Providence, in the State of Rhode Island, two United States coupon bonds, known as the denomination of seven-thirty bonds, of one thousand dollars each, with coupons attached, in lieu of two seven-thirty bonds of the United States, issued under an act of Congress, partially destroyed by fire, the charred remnants thereof being now deposited in the office of the Secretary of the Treasury, and numbered respectively one hundred and four thousand one hundred and fifty-two and one hundred and four thousand one hundred and fifty-three, dated June fifteenth, eighteen hundred and sixty-five, and issued under the act of March third, eighteen hundred and sixty-five; *Provided*, that the said Theodor G. Eiswald shall execute a bond in the penal sum of five thousand dollars, to be approved by the Solicitor of the Treasury, indemnifying the United States against any loss, cost, or damage on account of the issuing of said bills.

APPROVED, April 25, 1866.

April 26, 1866.

CHAP. LXIX. — *An Act for the Relief of George R. Frank, late Captain Thirty-third Regiment Wisconsin Volunteer Infantry.*Payment to
George R.
Frank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General of the United States army be, and he is hereby, authorized and directed to settle and pay out of any money appropriated, or hereafter to be appro-

priated, for the payment of the army, the account of George R. Frank, late a captain in the thirty-third regiment of Wisconsin volunteer infantry, for his services, and all allowances as captain in said regiment, in the service of the United States, from the date of his last payment to the time of the final muster out and payment of said regiment, the same as though the said George R. Frank had not been mustered out as captain for the purpose of being mustered in as major or otherwise.

APPROVED, April 26, 1866.

CHAP. LXXVII. — *An Act for the Benefit of Col. R. E. Bryant.*

May 9, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and required to allow R. E. Bryant, late commissary of subsistence, on settlement of his account, a credit of fourteen hundred and eighty-four dollars and thirteen cents, the vouchers and accounts for which were lost and destroyed, falling into the hands of the enemy at Holly Springs, Mississippi, on the twentieth day of September, eighteen hundred and sixty-two, if on examining the evidence by the commissary-general the said commissary-general shall deem him justly entitled to said credit; but said credit shall not be allowed without the said commissary-general shall certify approval thereof.

Credit to be
allowed R. E.
Bryant.

APPROVED, May 9, 1866.

CHAP. LXXVIII. — *An Act for the Relief of R. L. B. Clarke.*

May 9, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Treasurer of the United States be, and he is hereby, directed to pay, out of any money in the treasury of the United States not otherwise appropriated, the sum of one thousand five hundred dollars to R. L. B. Clarke, in full for the time and expense incurred by him in contesting the seat of Augustus Hall, from the first district of Iowa, in the thirty-fourth Congress.

Payment to R.
L. B. Clarke.

APPROVED, May 9, 1866.

CHAP. XC. — *An Act [for] the Relief of Francis A. Gibbons.*

May 22, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the treasury not otherwise expended, the sum of five hundred and sixty-three dollars and nineteen cents to Francis A. Gibbons, the same being money paid by him for property purchased at a quartermaster's sale in the city of Baltimore, Maryland, on the fifteenth day of February, eighteen hundred and sixty-three, under the direction of Colonel Belger, assistant quartermaster, which was not delivered to the purchaser.

Payment to
Francis A. Gibbons.

APPROVED, May 22, 1866.

CHAP. XCI. — *An Act granting [a] Pension to Spencer Kellogg.*

May 22, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Spencer Kellogg, of Oswego county, State of New York, on the roll of invalid pensions, and pay or cause to be paid to his legally appointed guardian the sum of twenty dollars per month, until he, the said Spencer Kellogg, shall have attained the age of sixteen years; this act to take effect from the sixth day of September, eighteen hundred and sixty-five.

Pension to
Spencer Kellogg.

APPROVED, May 22, 1866.

May 22, 1866. CHAP. XCII. — *An Act granting a Pension to John Hoffman, of Madison County, in the State of New York.*

Pension to
John Hoffman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, directed to place the name of John Hoffman, of Madison county, in the State of New York, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and to continue during his natural life.

APPROVED, May 22, 1866.

May 22, 1866. CHAP. XCIII. — *An Act for the Relief of the Legal Representatives of Betsey Nash.*

Payment to
representatives
of Betsey Nash.
1857, ch. 158.
Vol. xi. p. 516.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of Congress approved March three, eighteen hundred and fifty-seven, for the relief of Betsy Nash, are hereby extended to her legal representatives, and the amount appropriated by said act is hereby directed to be paid to them: *Provided,* That the sum paid by virtue of this act shall not exceed the amount due said Betsey Nash at the time of her death.

APPROVED, May 22, 1866.

May 22, 1866. CHAP. XCIV. — *An Act for the Relief of Martha J. Willey.*

Pension to
Martha J. Wil-
ley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Martha J. Willey, widow of George W. Willey, late a corporal in company F, seventh regiment New Hampshire volunteers, on the pension rolls, at the rate of eight dollars per month, said pension to commence on the eighteenth day of April, eighteen hundred and sixty-five, and to continue during her widowhood; and in the event of the marriage or death of said Martha J. Willey, then to the minor children of George W. Willey, subject to the limitations and restrictions of the pension laws.

APPROVED, May 22, 1866.

May 22, 1866. CHAP. XCV. — *An Act for the Relief of Isabella Strubing.*

Pension to
Isabella Stru-
bing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Isabella Strubing, widow of private Damon Strubing, deceased, late of company E, forty-sixth regiment Pennsylvania volunteers, on the pension roll, and pay or cause to be paid to her the sum of eight dollars per month from the thirtieth day of May, eighteen hundred and sixty-four, and to continue during her widowhood, and in the event of the death or marriage of said Isabella Strubing, to the minor children of Damon Strubing until they shall have attained the age of sixteen years.

APPROVED, May 22, 1866.

May 24, 1866. CHAP. XCVIII. — *An Act to grant a Pension to Leonard St. Clair.*

Pension to
Leonard St.
Clair.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, authorized and directed to place the name of Leonard St. Clair on the pension rolls of the United States as a pensioner, at the rate of eight dollars per month.

APPROVED, May 24, 1866.

CHAP. XCIX. — *An Act for the Relief of Mrs. William L. Herndon.*

May 24, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, required to cause a copyright to issue securing to Mrs. William L. Herndon, to her heirs, assigns, and legal representatives, the exclusive right to republish the book entitled "Exploration of the Valley of the Amazon," heretofore published under order of Congress, and to publish the same for the term of fourteen years from the passage of this act.

Copyright to
issue to Mrs.
William L.
Herndon.

APPROVED, May 24, 1866.

CHAP. CI. — *An Act for the Relief of Cornelius B. Gold, late Acting Assistant Paymaster United States Navy.*

May 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the government be, and they are hereby, authorized and directed, in the settlement of the accounts of Cornelius B. Gold, late acting assistant paymaster U. S. navy, to allow a credit of five hundred and ten dollars and nine cents for clothing abstracted from a storeroom in charge of said Gold while on duty in Mobile bay in the spring or summer of eighteen hundred and sixty-five: *Provided,* That no credit shall be allowed until the proper officers of the government shall be satisfied by full and complete proof of the loss of the clothing herein referred to.

Credit to be
allowed Corne-
lius B. Gold.

Proviso.

APPROVED, May 26, 1866.

CHAP. CVI. — *An Act granting [a] Pension to Mrs. Sally Andrews.*

June 6, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Sally Andrews, of Buxton, York county, Maine, widow of the late Elisha Andrews, quarter gunner on board the "Levetta Adams," on the pension list of invalid pensioners, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood, the pension to commence from and after the passage of this act.

Pension to
Sally Andrews.

APPROVED, June 6, 1866.

CHAP. CVII. — *An Act granting a Pension to Mrs. Joanna Winans.*

June 6, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Mrs. Joanna Winans, mother of George W. Winans, late an acting assistant paymaster in the United States navy, on the roll of naval pensioners, at the rate of twenty dollars per month, to continue during her widowhood, the said pension to be paid out of the naval pension fund.

Pension to
Joanna Winans.

APPROVED, June 6, 1866.

CHAP. CVIII. — *An Act for the Relief of Christina Elder.*

June 6, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, is hereby directed to pay to Christina Elder, of the city of New York, the arrears of pension to which Jessie Elder, mother of the said Christina Elder and of Alexander B. Elder, late lieutenant-colonel of the tenth regiment of New York volunteers, would have been entitled, had the certificate of W. T. Otto, acting Secretary of the Interior, coun-

Arrears of
pension to Chris-
tina Elder.

tersigned by Joseph H. Barrett, Commissioner of Pensions, and bearing date on the twenty-fifth day of November, in the year one thousand eight hundred and sixty-five, in favor of the said Jessie Elder, been granted in his lifetime.

APPROVED, June 6, 1866.

June 6, 1866.

CHAP. CIX. — *An Act for the Relief of Cordelia Murray.*

Pension to
Cordelia Mur-
ray.

1865, ch. 5.
Vol. xiii. p. 593.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to pay to Cordelia Murray, widow of George W. Murray, a pension equal in amount to the pension granted to the said George W. Murray, by an act of Congress approved December twentieth, eighteen hundred and sixty-four, entitled "An act for the relief of George W. Murray."

APPROVED, June 6, 1866.

June 8, 1866.

CHAP. CXII. — *An Act granting a Pension to Mrs. Martha Stevens*

Pension to
Martha Stevens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Martha Stevens, widow of John F. Stevens, late deputy provost-marshal of the fourth congressional district of the State of Indiana, on the pension roll, at the rate of seventeen dollars per month, to commence from the tenth day of June, eighteen hundred and sixty-three, and to continue during her widowhood.

APPROVED, June 8, 1866.

June 8, 1866.

CHAP. CXIII. — *An Act granting a Pension to Anna E. Ward.*

Pension to
Anna E. Ward.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Anna E. Ward, of the city of Washington, D. C., widow of the late Joseph D. Ward, second Kentucky volunteers, on the list of pensioners, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood; and in the event of the marriage or death of said Anna E. Ward, then to the minor children of Joseph D. Ward, subject to the limitations and restrictions of the pension laws; this act to take effect from and after its passage.

APPROVED, June 8, 1866.

June 12, 1866.

CHAP. CXVIII. — *An Act to confirm the Title of José Serafin Ramirez to certain Lands in New Mexico.*

Land grant to
José Serafin Ra-
mirez confirmed.

Claim of the
United States
only released.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant to José Serafin Ramirez of the Cañon del Agua, as approved by the surveyor-general of New Mexico January twenty, eighteen hundred and sixty, and designated as number seventy in the transcript of private land claims in New Mexico, transmitted to Congress by the Secretary of the Interior January eleven, eighteen hundred and sixty-one, is hereby confirmed: *Provided, however,* That this confirmation shall only be construed as a relinquishment on the part of the United States, and shall not affect the adverse rights of any persons whomsoever.

APPROVED, June 12, 1866.

CHAP. CXIX. — *An Act to confirm the Grant of certain Lands to José Domingues, in California.* June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant to José Domingues of the land known as Los Prietos y Najalayegua, in the county of Santa Barbara, granted to him at Los Angeles, September twenty-four, eighteen hundred and forty-five, by Governor Pio Pico, and approved by the departmental assembly of Alta California, June third, eighteen hundred and forty-six, is hereby confirmed. And the surveyor-general of California is hereby directed to proceed and survey said lands in accordance with the original title papers on file in his office, and when said survey shall have been approved by the Commissioner of the General Land Office, a patent shall be issued for said lands to said Domingues or parties holding under him by inheritance or otherwise. This confirmation shall only be construed as a relinquishment on the part of the United States, and shall not affect the adverse right of any person whomsoever.

Land grant to José Domingues confirmed.

Survey.

Patent.

Claim of the United States only released.

APPROVED, June 12, 1866.

CHAP. CXX. — *An Act for the Relief of Mrs. Anna G. Gaston.*

June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby directed to place upon the pension roll the name of Mrs. Anna G. Gaston, of the city of Washington, widow of Albert G. Gaston, deceased, late a lieutenant in the sixteenth regiment of Virginia volunteers, from the date of the discharge of her said husband from the military service of the United States, on account of disability arising from disease contracted in the said service, until the date of his death, namely, from the fifth day of May, in the year eighteen hundred and sixty-three, to the seventh day of February, in the year eighteen hundred and sixty-five, and to cause to be paid to the said Mrs. Anna G. Gaston a pension at the rate of seventeen dollars per month for the said term, without prejudice to the pension heretofore allowed her by the Commissioner of Pensions.

Pension to Anna G. Gaston.

APPROVED, June 12, 1866.

CHAP. CXXI. — *An Act for the Relief of Maria Syphax.*

June 12, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title to a piece of land being part of the Arlington estate, in the county of Alexandria, in the State of Virginia, upon which Maria Syphax has resided since about the year eighteen hundred and twenty-six, bounded and described as follows, to wit: Beginning at the intersection of the south line of said Arlington estate with the centre line of a small run, said point of intersection being about one fourth of a mile from the southwest corner of said Arlington estate, running thence westerly along said south line seven chains and forty links; thence in a northeasterly direction, on a line making an angle of thirty-five degrees with the said south line, twenty-two chains and thirty-eight links; thence at right angles, in a southeasterly direction fifteen chains and sixty-seven links to the said south line of the Arlington estate; thence westerly along the said south line of the said Arlington estate nineteen chains and ninety-two links, to the place of beginning, containing seventeen acres and fifty-three one hundredths of an acre of land, be the same more or less, be, and the same is hereby, released and confirmed unto the said Maria Syphax, her heirs and assigns.

Title of Maria Syphax to certain Land in Virginia confirmed.

APPROVED, June 12, 1866.

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June 15, 1866.

CHAP. CXXV. — *An Act for the Relief of Mrs. Abigail Ryan.*Pension to
Abigail Ryan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Abigail Ryan, widow of Thomas A. Ryan, late a sergeant in company E, seventeenth regiment West Virginia infantry volunteers, on the pension roll, at the rate of eight dollars per month, to commence from the twenty-seventh day of March, eighteen hundred and sixty-five, and to continue during her widowhood.

APPROVED, June 15, 1866.

June 21, 1866.

CHAP. CXXXIII. — *An Act for the Relief of Captain John H. Crowell, Assistant Quartermaster in the United States Army.*A credit of
\$225 to be al-
lowed Captain
John H. Crowell
in settlement of
his accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized to allow Captain John H. Crowell, on a settlement of his accounts, a credit of two hundred and twenty-five dollars, for so much money disbursed by him to persons in the service of the United States, in payment for such services, the vouchers for which payment were captured by the rebels and destroyed in an attack upon the camp at Baton Rouge, Louisiana, where said John H. Crowell was stationed, on the fifth day of August, eighteen hundred and sixty-two, if, on examining the accounts of said Crowell, the Quartermaster-General shall deem said Crowell justly entitled to said credit, and shall certify his approval thereof to said accounting officers.

APPROVED, June 21, 1866

June 21, 1866.

CHAP. CXXXIV. — *An Act for the Relief of the Heirs of Lieutenant Joshua D. Todd, late of the United States Navy, deceased.*Payment to
James Todd, ad-
ministrator of
Joshua D. Todd.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, directed to pay to James Todd, administrator of Joshua D. Todd, late of the United States navy, deceased, the pay of a master in the navy of the United States, from the seventeenth day of June, eighteen hundred and forty-four, to the tenth day of August, eighteen hundred and forty-six, after deducting therefrom the amount already received by said Joshua D. Todd, deceased, as passed midshipman, during said period, and the said sum shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 21, 1866.

June 21, 1866.

CHAP. CXXXV. — *An Act for the Relief of Jonathan W. Gordon, late Major in the Eleventh Regiment of Infantry.*Credit to be
allowed J. W.
Gordon in settle-
ment of ac-
counts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed, in settling the accounts of J. W. Gordon, late major in the eleventh regiment of infantry, to allow him a credit of six hundred dollars on account of bounties paid enlisted men in accordance with the provisions of the act of July, eighteen hundred and sixty-two, but before that act went into effect.

APPROVED, June 21, 1866.

1862, ch. 201.
Vol. xii. p. 597.

CHAP. CXXXVI. — *An Act for the Relief of Elisha W. Dunn, a Paymaster in the United States Navy.* June 21, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the United States treasury be, and they are hereby, authorized and directed, in the settlement of the accounts of Elisha W. Dunn, a paymaster in the United States navy, to receive and allow, where the proper vouchers cannot be obtained, statements verified by his oath, or such other satisfactory evidence as he may present, of all expenditures made by him for the government, or losses sustained by him in consequence of the destruction by fire of the money, papers, and property, of the United States, in charge of the said Elisha W. Dunn, on board of the United States naval wharf-boat at Mound City, Illinois, at the burning of that vessel on the first of June, one thousand eight hundred and sixty-four.

Elisha W. Dunn, settlement of accounts of.

APPROVED, June 21, 1866.

CHAP. CXXXVII. — *An Act for the Relief of the Amoskeag Manufacturing Company.* June 22, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to the Amoskeag Manufacturing Company, out of any money in the treasury not otherwise appropriated, the sum of sixteen hundred and fifty dollars, in full for three regimental cook wagons, furnished to the government in eighteen hundred and sixty-one.

Payment to the Amoskeag Manufacturing Company for three cook wagons.

APPROVED, June 22, 1866.

CHAP. CXXXIX. — *An Act changing the Name of Emil Cohen.*

June 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Emil Cohen, of the city of Washington, in the District of Columbia, be, and he is hereby, authorized, from and after the passage of this act, to take and use the surname of Cornely, and that his name hereafter be Emil Cornely; and all acts done and entered into by that name shall have the same effect and operation in law as if his name had originally been Emil Cornely, of Washington, in the District of Columbia.

Name of Emil Cohen changed to Emil Cornely.

APPROVED, June 23, 1866.

CHAP. CXLV. — *An Act to amend an Act entitled "An Act granting a Pension to the Widow of the late Major-General Hiram G. Berry."*

June 27, 1866.

Whereas in the act granting a pension to the widow of the late Major-General Hiram G. Berry, approved March third, eighteen hundred and sixty-five, said widow is erroneously called Eliza Berry: Therefore,

1865, ch. 135.
Vol. xiii. p 600.
Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be authorized and directed to place the name of Almira M. Berry, widow of Major-General Hiram G. Berry, on the pension rolls instead of Eliza Berry, as provided for by the act aforesaid.

Pension to Almira M. Berry.

APPROVED, June 27, 1866.

CHAP. CXLVI. — *An Act for the Relief of Mrs. Jerusha Witter.*

June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Jerusha Witter, widow of Doctor Amos Witter, late surgeon of the

Pension to Mrs. Jerusha Witter.

seventh regiment Iowa infantry volunteers, on the pension roll, at the rate of twenty-five dollars per month, to commence from the date of her application for a pension, and to continue during her widowhood.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CXLVII. — *An Act for the Benefit of Ira B. Curtis.*

Pension to
Ira B. Curtis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, directed to place Ira B. Curtis on the pension [rolls] as assistant surgeon wholly disabled in the service, at the rate of seventeen dollars per month, commencing the twenty-eighth of February, eighteen hundred and sixty-six.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CXLVIII. — *An Act for the Relief of Jane Harris.*

Pension to
Jane Harris.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, authorized and directed to place the name of Jane Harris, widow of George H. Harris, late a private in company I, sixth Iowa cavalry, now deceased, on the pension rolls as entitled to a pension at the rate of eight dollars per month during her widowhood, payment to commence from October twenty-third, one thousand eight hundred and sixty-three, the date of the death of said George H. Harris.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CXLIX. — *An Act granting a Pension to Mrs. Amarilla Cook.*

Pension to
Mrs. Amarilla
Cook.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Amarilla Cook, widow of John B. Cook, late deputy provost-marshal of the sixteenth congressional district of the State of Ohio, on the pension roll, at the rate of seventeen dollars per month, to commence from the fifth day of March, eighteen hundred and sixty-five, and to continue during her widowhood.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CL. — *An Act granting a Pension to Benjamin Franklin.*

Pension to Ben-
jamin Franklin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Benjamin Franklin, a private in company H, second regiment Minnesota cavalry volunteers, on the pension roll, at the rate of twenty-five dollars per month, to commence from the fifteenth day of January, eighteen hundred and sixty-six, and to continue during his natural life.

APPROVED, June 27, 1866.

June 27, 1866.

CHAP. CLI. — *An Act granting a Pension to Mrs. Harriet B. Crocker.*

Pension to
Mrs. Harriet B.
Crocker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Harriet B. Crocker, mother of Henry B. Crocker, late a private in company G, one hundred and fifteenth regiment Ohio volunteer infantry, on the pension roll, at the rate of eight dollars per month, to commence from the fourth day of October, eighteen hundred and sixty-two, and to continue during her widowhood.

APPROVED, June 27, 1866.

CHAP. CLII. — *An Act granting a Pension to Jane D. Brent.*

June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to place the name of Jane D. Brent, of Detroit, Michigan, widow of Thomas Lee Brent, late a captain in the army of the United States, on the pension roll, and to allow and pay to her a pension at the rate of twenty dollars per month, from and after the passage of this act, until her marriage or death, and after either event to continue the said pension to Mary Brent, daughter of the said Thomas Lee Brent, if then under the age of sixteen years, until she attains that age.

Pension to
Jane D. Brent.

APPROVED, June 27, 1866.

CHAP. CLIII. — *An Act for the Relief of Cornelius Crowley.*

June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Cornelius Crowley, late a private in company F, third regiment United States infantry, on the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act, and pay him at that rate in lieu of any other pension to which he may have been entitled.

Pension to
Cornelius Crow-
ley.

APPROVED, June 27, 1866.

CHAP. CLIV. — *An Act for the Relief of A. J. Gray.*

June 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Pensions be, and he hereby is, required to place the name of Andrew J. Gray, late a pilot on board the United States gunboat Judge Torrence, upon the list of invalid pensioners, at the rate prescribed for officers of his rank by act of Congress approved July fourteen, eighteen hundred and sixty-two, to be paid out of the naval fund.

Pension to
Andrew J. Gray.

1862, ch. 166.
Vol. xii. p. 566.

APPROVED, June 27, 1866.

CHAP. CLVII. — *An Act granting Land to A. M. Jess, of Josephine County, Oregon.*

June 29, 1866.

Whereas the land claimed and settled upon by A. M. Jess, on Apple-gate river, in Josephine county, State of Oregon, under the provisions of the homestead law of May twentieth, eighteen hundred and sixty-two, has since, without his fault, become of no value to him and been in great part destroyed by a change in the channel of said river; and whereas his title to said land is still inchoate and justice requires that he should be permitted to locate and settle upon an equal quantity of other public land in lieu thereof: Therefore,

Preamble.

1862, ch. 75.
Vol. xii. p. 392.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said A. M. Jess be, and he is hereby, authorized to locate and settle upon one hundred and sixty acres of the public lands of the United States, in accordance with the provisions and requirements of the homestead law aforesaid, and, at the expiration of the period therein prescribed, to receive a patent therefor on the terms and conditions therein prescribed: *Provided*, That the title so acquired by him to the land heretofore located and settled upon by him as aforesaid shall revert to the United States: *And provided further*, That said new location and settlement shall not be made upon mineral lands of the United States.

A. M. Jess may
locate and settle
upon 160 acres
of public lands.

Title to former
location to revert
to the United
States.

New location
not to be upon
mineral lands.

APPROVED, June 29, 1866.

July 4, 1866.

CHAP. CLXX. — *An Act granting a Pension to Jane E. Miles.*Pension to
Jane E. Miles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll the name of Jane E. Miles, of Somersworth, New Hampshire, widow of William D. Miles, late a landsman in the naval service of the United States, and to allow and pay her a pension, at the rate of eight dollars per month, from the twenty-second day of March, in the year one thousand eight hundred and sixty-five, to continue during her widowhood; the said pension to be paid out of the naval pension fund.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXXI. — *An Act for the Relief of Sarah J. Purcell.*Pension to
Sarah J. Purcell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Sarah J. Purcell, widow of Charles W. Purcell, acting captain of artillery, on the pension roll, at the rate of twenty dollars a month, from the twenty-seventh day of September, eighteen hundred and sixty-four, to continue during her widowhood.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXXII. — *An Act granting a Pension to Mrs. Margaret A. Farran.*Pension to
Mrs. Margaret A.
Farran.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Margaret A. Farran, widow of Abraham Farran, late a private in the twenty-fourth battery Indiana Light Artillery, on the pension roll, at the rate of eight dollars per month, to commence from the sixteenth day of February, eighteen hundred and sixty-four, and to continue during her widowhood.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXXIII. — *An Act granting a Pension to Mary C. Hamilton.*Pension to
Mrs. Mary C.
Hamilton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Mary C. Hamilton on the pension rolls, at the same rate of pension allowed her under the act passed for her benefit, and approved June third, eighteen hundred and fifty-eight, payment to commence from and after the expiration of the term created by the said act of June third, eighteen hundred and fifty-eight, and to continue for and during the term of her natural life.

APPROVED, July 4, 1866.

July 13, 1866.

CHAP. CLXXXV. — *An Act amendatory of an Act entitled "An Act granting a Pension to Mrs. Emerance Gouler."*

1866, ch. 62.
Ante, p. 8.
Pension to
Mrs. Emerance
Gouler, to con-
tinue to her mi-
nor children, if
&c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act approved April eighteen, eighteen hundred and sixty-six, granting a pension to Mrs. Emerance Gouler, be so amended as to continue the pension granted to Mrs. Gouler, in the event of her death or remarriage, to her minor children under the age of sixteen years, had by her late husband, Charles Gouler, a private in company F, ninth New Hampshire volunteers.

APPROVED, July 13, 1866.

CHAP. CLXXXVI. — *An Act for the Relief of Mary A. Patrick.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Mary A. Patrick, widow of Matthew A. Patrick, who was a captain first artillery United States army, on the pension rolls, at the rate of twenty dollars per month, said pension to commence from and after the passage of this act.

Pension to
Mary A. Patrick

APPROVED, July 13, 1866.

CHAP. CLXXXVII. — *An Act for the Relief of Joel Farley.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Joel Farley, late a private in company F eleventh Iowa volunteer infantry, on the pension rolls, at the rate of fifteen dollars per month.

Pension to
Joel Farley.

APPROVED, July 13, 1866.

CHAP. CLXXXVIII. — *An Act for the Relief of James L. Perham.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to James L. Perham, late of company "G" tenth regiment Maine volunteers, a pension at the rate of eight dollars per month, from February fourth, eighteen hundred and sixty-three, to November seventeenth, eighteen hundred and sixty-four, amounting to one hundred and seventy-one dollars and thirty-six cents.

Pension to
James L. Perham.

APPROVED. July 13, 1866.

CHAP. CLXXXIX. — *An Act for the Benefit of John W. Jones.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, required to place the name of John W. Jones, late a private in company K seventeenth regiment Ohio volunteer infantry, on the pension roll, and that he be paid a pension from the passage of this act, at the rate now allowed by law to pensioners who have suffered the loss of the right arm; and if the pension allowed to that class of pensioners should hereafter be changed by law, that said Jones shall thereafter be paid a pension according to such change.

Pension to
John W. Jones.

APPROVED, July 13, 1866.

CHAP. CXC. — *An Act granting a Pension to Ann Sheehy.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Ann Sheehy, of Boston, Massachusetts, on the roll of invalid pensions, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood; and that the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle and adjust the accounts of John Sheehy, late a private in company D, twenty-eighth Massachusetts volunteers, and to pay the said Ann Sheehy, out of any moneys in the treasury not otherwise appropriated, the amount that may be found to have been due said John Sheehy on the third day of July, eighteen hundred and sixty-three, the date of his death.

Pension to
Ann Sheehy.Accounts of
John Sheehy to
be adjusted, &c.

APPROVED, July 13, 1866.

July 13, 1866. CHAP. CXCI. — *An Act for the Relief of Charles M. Stout, late a Second Lieutenant in Company E, Seventh Regiment Pennsylvania Reserve Corps.*

Account of
Charles M. Stout
to be stated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the War Department are hereby authorized and directed to cause to be stated the account of Charles M. Stout, late a second lieutenant of company E, seventh regiment Pennsylvania reserve corps of volunteers, and allow him pay and allowances as such officer from the date of his appointment, by general orders of Gen. McClellan, at Harrison's Landing, in Virginia, during the time he served as such officer, from August first, eighteen hundred and sixty-two, to January thirty, eighteen hundred and sixty-three, inclusive, the time he returned again to the ranks as private soldier, and that the amount thereof be paid to the said Charles M. Stout or his legal representatives.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCII. — *An Act for the Relief of Lieutenant-Colonel Frank Lynch.*

Pension to
Lieut.-Colonel
Frank Lynch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Frank Lynch, late of the twenty-seventh regiment of Ohio volunteer infantry, on the pension rolls, at the rate of pension allowed to a lieutenant-colonel, to which rank he was commissioned, and pay him at that rate in lieu of any other pension to which he may have been entitled.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCIH. — *An Act for the Relief of John Gordon.*

Pension to
John Gordon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John Gordon, late of company "G," ninth United States infantry, upon the pension rolls at the rate of eight dollars per month, and pay him the same from and after the passage of this act, and to continue during his natural life.

APPROVED, July 13, 1866.

July 13, 1866.

CHAP. CXCIV. — *An Act for the Relief of J. Judson Barclay.*

Payment to J.
Judson Barclay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to cause to be paid to J. Judson Barclay, consul at Cyprus, the sum of three thousand dollars, being the amount paid by him for the expenses of his consulate, and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED July 13, 1866.

July 13, 1866.

CHAP. CXCV. — *An Act for the Relief of Matilda I. Monroe.*

Pension to
Matilda I. Mon-
roe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Matilda I. Monroe, widow of David B. Monroe, late a sergeant in company A, sixty-second Ohio volunteers, on the pension rolls at the rate of eight dollars per month, and continue during her widowhood, commencing on the sixteenth of March, eighteen hundred and sixty-three, and in event of the death or remarriage of said Matilda I. Monroe, then to the minor children of David B. Monroe, subject to the limitations and restrictions of the pension laws.

APPROVED, July 13, 1866.

CHAP. CXCVI. — *An Act for the Relief of Lucinda Gates.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Lucinda Gates, widow of the late Horace Gates, of Franklin, Vermont, on the roll of invalid pensions, and pay to her the same pension during her widowhood, from the death of her husband, as was allowed him per special act approved July four, eighteen hundred and sixty-four.

Pension to
Lucinda Gates.1864, ch. 255.
Vol. xiii. p. 586.

APPROVED, July 13, 1866.

CHAP. CXCVII. — *An Act granting a Pension to Mrs. Mary A. McManus, Widow of Captain Andrew McManus, late of the Sixty-ninth Pennsylvania Volunteer Infantry.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to cause the name of Mrs. Mary A. McManus, of Philadelphia, Pennsylvania, and widow of Andrew McManus, late a captain of the Sixty-ninth regiment of Pennsylvania infantry volunteers, to be placed on the pension rolls, at the rate of twenty dollars per month, to continue during her widowhood, and to continue the said pension to the child or children of the said Andrew McManus until they arrive at the age of sixteen years, in the event of the death or marriage of the said Mary A. McManus.

Pension to Mrs.
Mary A. McMa-
nus.

APPROVED, July 13, 1866.

CHAP. CXCVIII. — *An Act granting an Increase of Pension to Mrs. Mercie E. Scattergood.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause the name of Mrs. Mercie E. Scattergood, widow of Edward Scattergood, to be placed on the roll of naval pensioners, at the rate of fifteen dollars per month, to continue during her widowhood, and to be continued to the children of said Edward Scattergood, who are under sixteen years of age, in the event of the death or marriage of the said Mercie E. Scattergood; the pension herein granted to be in lieu of that now received by her.

Pension to
Mrs. Mercie E.
Scattergood, in
lieu of present
one.

APPROVED, July 13, 1866.

CHAP. CXCIX. — *An Act for the Relief of George W. Bush.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to George W. Bush, of the city and county of New York, late a sergeant in company G, ninetyeth regiment New York volunteers, a pension of eight dollars per month, from August twenty-ninth, eighteen hundred and sixty-three, to March third, eighteen hundred and sixty-five.

Pension to
George W. Bush.

APPROVED, July 13, 1866.

CHAP. CCIII. — *An Act for the Relief of A. T. Spencer and Gurdon S. Hubbard.*

July 13, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized and instructed to audit and adjust the account of A. T. Spencer and Gurdon S. Hubbard, for carrying the United States mail from Chicago, Illinois, to Mackinac, Sault Ste. Marie, Marquette, Copper Harbor, Eagle Harbor, Eagle River, and Ontonagon, Michigan; La Point and Superior, Wisconsin, during the years from

Account of A.
T. Spencer and
Gurdon S. Hub-
bard to be audit-
ed and paid.

eighteen hundred and fifty-four to eighteen hundred and fifty-nine, inclusive, and allow therefor such amount as to him shall appear just and equitable, not exceeding the amount allowed for the same service to the party who afterwards performed the same under contract; and the sum by him so found due shall be paid out of the treasury of the United States out of any of the money therein not otherwise appropriated.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCIV. — *An Act for the Relief of Samantha Rader.*

Pension to
Samantha
Rader.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Samantha Rader, widow of John Rader, late a private in company K, seventeenth regiment Ohio infantry, on the list of pensioners, and pay or cause to be paid to her the sum of eight dollars per month during her widowhood; and in the event of the marriage or death of the said Samantha Rader, then to the minor child or children of John Rader, subject to the limitations and restrictions of the pension laws.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCV. — *An Act granting [a] Pension to Jonathan W. Beach.*

Pension to
Jonathan W.
Beach.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place or have placed upon the pension rolls the name of Jonathan W. Beach, and pay to him the sum of twenty-five dollars per month during his blindness. This act to take effect from and after its passage.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCVI. — *An Act granting a Pension to Mrs. Charlotte E. Reed.*

Pension to
Mrs. Charlotte
E. Reed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue to Mrs. Charlotte E. Reed, widow of John D. Reed, late of Falls Church, Fairfax county, Virginia, a pension certificate, and place her name on the roll of pensioners, with the pay and under the conditions and limitations of a widow of a private of infantry.

APPROVED, July 18, 1866.

July 18, 1866.

CHAP. CCVII. — *An Act for the Relief of the minor Children of Salvador Accadi, deceased.*

Pension to the
minor children of
Salvador Accadi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the names of Adrian J. P. Accadi and Lavinia M. E. Accadi, minor children of the late Salvador Accadi, a musician in the United States navy, on the pension rolls, and pay, out of the naval pension fund, a pension of eight dollars per month to their legally appointed guardian, until the youngest of said children shall attain the age of sixteen years. This act to take effect from the first day of January, eighteen hundred and sixty-four.

APPROVED, July 18, 1866.

CHAP. CCXX. — *An Act for the Benefit of William G. Lee.*

July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay William G. Lee, or his legal representatives, out of any money in the treasury not otherwise appropriated, the sum of twenty-eight thousand four hundred and twenty-eight dollars and fifty cents, which said sum shall be in full payment of his claim against the United States, on account of corn purchased by him in the department of Kentucky, as the agent of the quartermaster's department, under the agreement made by him with Captain John A. Morris, in eighteen hundred and sixty-four, and which corn spoiled on his hands by reason of the government failing to furnish transportation for the same.

Payment to
William G. Lee.

APPROVED, July 23, 1866.

CHAP. CCXXI. — *An Act for the Relief of William H. Wheeler, of Bangor, Maine.*

July 23, 1866.

Whereas William H. Wheeler, of Bangor, Maine, in the month of February, eighteen hundred and sixty-five, lost a United States bond of the denomination of five hundred dollars, issued under the act of twenty-fifth February, eighteen hundred and sixty-two, number eighteen thousand three hundred and seventy-four, with all the unpaid coupons attached, which bond has since been found mutilated and partially destroyed; and whereas thirteen of the coupons of said bond have been reclaimed in such condition as to be paid at maturity; and whereas it is uncertain whether the remaining coupons are not still in existence: Therefore —

Preamble.

1862, ch. 33.
Vol. xii. p. 345.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue and deliver to said William H. Wheeler a duplicate of said bond, number eighteen thousand three hundred and seventy-four, without coupons attached; *Provided,* That, before issuing the same, said Wheeler shall deliver to the Secretary of the Treasury all the remaining fragments and parts of said bond, excepting the thirteen coupons which have been reclaimed as aforesaid, with a good and sufficient bond, with security to be approved by the Secretary of the Treasury, to indemnify the United States against all loss, cost, or damages incurred by reason of the issuing of said duplicate bond.

Duplicate of
bond to be issued
to William H.
Wheeler, upon
his giving, &c.

APPROVED, July 23, 1866.

CHAP. CCXXII. — *An Act for the Relief of the Owners of the Hawaiian Bark "Kamahamaha V."*

July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Charles Brewer and Company, of Boston, agents for the owners of the Hawaiian bark "Kamahamaha V," in coin out of any money in the treasury not otherwise appropriated, the sum of thirty-five hundred and thirty dollars, in full for the passage, on the Hawaiian bark "Kamahamaha V," of sixty-eight destitute American seamen belonging to American vessels which were burned by the Anglo-confederate pirate "Shenandoah," from the Island of Ascension to Honolulu.

Payment to
owners of Ha-
waiian bark for
passage of
American sea-
men.

APPROVED, July 23, 1866.

CHAP. CCXXIII. — *An Act for the Relief of the Owners of the Bark Maria Henry.*

July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the

Payment to
owners of bark
Maria Henry.

treasury not otherwise appropriated, the sum of twelve thousand dollars to George Hearn, agent and part owner of the bark *Maria Henry*, of Portland, Maine, in full compensation for the use and detention of said vessel, by the military authorities of the United States from the twenty-sixth day of February to the twenty-sixth day of May, eighteen hundred and sixty-five, inclusive; and for any and all damage for the omission of said government to load said vessel with coal for New Orleans or Port Royal.

APPROVED, July 23, 1866.

July 23, 1866. CHAP. CCXXIV. — *An Act for the Relief of Edward P. McKinney, of Binghamton, New York, late Captain and Assistant Commissary of Subsistence.*

Allowance to Edward P. McKinney of \$475, upon his proving, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the War and Treasury Departments be, and they are hereby, authorized to allow to Edward P. McKinney, of Binghamton, New York, late captain and assistant commissary of subsistence, upon the settlement of his accounts, the sum of four hundred and seventy-five dollars, or so much thereof as the proof shall establish, upon his proving satisfactorily to such officers that such sum was properly paid by him prior to the thirteenth day of August, eighteen hundred and sixty-four, to men of the first Rhode Island cavalry, and the first, second, and fifth United States cavalry regiments, and that his vouchers therefor were forcibly taken from him and destroyed by the enemy on the thirteenth day of August, eighteen hundred and sixty-four, between Harper's Ferry and Winchester, Virginia, without the fault of the said Edward P. McKinney.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXXV. — *An Act for the Benefit of Henry Horne.*

Payment to Henry Horne.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Henry Horne, out of any money in the treasury not otherwise appropriated, the sum of four hundred dollars in gold, or its equivalent in United States currency, being the amount advanced by him for the use of federal prisoners at Andersonville, and used for their benefit while prisoners of war at that place during the years eighteen hundred and sixty-four and eighteen hundred and sixty-five, the payment of the said sum to act as a full release of the note given to said Henry Horne by Father Wheelan, under whose supervision the said sum of money was expended.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXXVI. — *An Act for the Relief of William Cook.*

Payment to William Cook.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to William Cook, of Washington, District of Columbia, the sum of two hundred dollars, in full for the use and occupation of his land by the order of the War Department.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXXVII. — *An Act for the Relief of the Heirs of Horace I. Hodges.*

Allowance to the heirs of Horace I. Hodges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the settlement of the accounts with the treasury of Horace I. Hodges, deceased, late captain and assistant quartermaster United States Volunteers, there shall be allowed in his favor the sum of one thousand two hundred and fifty-six

dollars and forty cents on account of the loss of that amount of public funds in his hands by the capture of Plymouth, North Carolina, by the rebels, on the twentieth day of April, one thousand eight hundred and sixty-four, the loss being without neglect or fault on the part of said Hodges, and he having lost his life at that time in attempting to carry orders from the commanding officer at Plymouth to the United States gunboats.

APPROVED, July 23, 1866.

CHAP. CCXXVIII. — *An Act for the Relief of Liston H. Pearce.*

July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to the Rev. Liston H. Pearce the sum of five hundred and forty dollars, out of any money in the treasury not otherwise appropriated, in full for his services as chaplain of the one hundred and thirty-second regiment of Illinois volunteers, during the recent rebellion.

Payment to
Rev. Liston H.
Pearce.

APPROVED, July 23, 1866.

CHAP. CCXXIX. — *An Act for the Relief of James G. Holland, late Acting Assistant Paymaster United States Navy.*

July 23, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to credit James G. Holland, late acting assistant paymaster of the navy of the United States, with the sum of five hundred dollars, in the settlement of the accounts of said Holland with the Fourth Auditor of the Treasury; such credit to be given to said Holland for the sum of five hundred dollars in treasury notes of the United States lost and destroyed without any fault or neglect on the part of said Holland: *Provided,* That the final order for the allowance of the said credit shall not be made until the whole subject connected with the said alleged loss shall be fully investigated by the Fourth Auditor, and he shall certify thereto.

Credit to be
allowed James
G. Holland in
settlement of ac-
counts.

APPROVED, July 23, 1866.

CHAP. CCLVI. — *An Act for the Relief of the Owners of the British Vessel Magicienne.*

July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to the order of the proper functionary of the government of her Majesty the Queen of Great Britain and Ireland, the sum of eight thousand six hundred and forty-five dollars, as full compensation to the owners of the British vessel *Magicienne*, or their legal representatives, for damages occasioned by reason of the wrongful seizure and detention of this vessel by the United States ship *Onward* in the month of January, eighteen hundred sixty-three, and also as full compensation to the owners and shippers of the cargo of the *Magicienne*; such sum to be distributed agreeably to the award of William M. Evarts and Edward M. Archibald, esquires, to whom the claim was referred for adjustment, by an agreement bearing date in November, eighteen hundred and sixty-three, between the Secretary of State on the part of the United States, and the British minister at Washington on the part of Great Britain.

Payment to
owners of the
British vessel
Magicienne, and
to owners and
shippers of
cargo.

Sum, how dis-
tributed.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLVII. — *An Act for the Relief of Thomas W. Stevens.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to Thomas W. Stevens, out of any money in the treasury not otherwise appropriated, the sum of one thousand and twenty-five dollars and fifty cents on account of services as inspector of customs at the port of Albany from the first day of March, eighteen hundred and sixty-two, to the first day of April, eighteen hundred and sixty-three.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLVIII. — *An Act for the Relief of Alois Klaus.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Alois Klaus the sum of thirty-two dollars and ninety cents, in full payment for moneys paid by him for transportation, and due to him for rations, while in the military service of the United States.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLIX. — *An Act for the Relief of James P. Johnson.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and required to pay James P. Johnson, of Iowa, the sum of two hundred and two dollars and fifty cents, out of any money in the treasury not otherwise appropriated, in full payment for his services as veterinary surgeon in the fourth Iowa cavalry.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLX. — *An Act for the Relief of Daniel Winslow.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Daniel Winslow and his legal representatives be, and they hereby are, released and relieved from all judgments, and from all liens and encumbrances of said judgments in favor of the United States, heretofore obtained against said Winslow, in any district court of the United States, upon a contract entered into by said Winslow with the chief of the bureau of provisions and clothing, to deliver at the navy yard in Charlestown, Massachusetts, eighteen hundred barrels of navy beef; which contract was dated September twenty-nine, eighteen hundred and forty-six; meaning hereby to release the said Winslow from all liability arising out of said contract, or any bond given to secure the performance thereof, and from all judgments founded on the same, whether against himself alone, or himself and his sureties, but not to relieve him of any levies heretofore made, or sums paid on said judgments.

APPROVED, July 25, 1866.

July 25, 1866.

CHAP. CCLXI. — *An Act for the Relief of Mrs. Eleanor C. Ransom.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to pay Mrs. Eleanor C. Ransom, out of any money in the treasury not otherwise appropriated, the sum of four hundred dollars, to compensate her for services performed by her in taking care of sick and wounded soldiers of the United States on the steamship North America, on her voyage from New Orleans to New York, in December, anno Domini eighteen hundred and sixty-four.

APPROVED, July 25, 1866.

CHAP. CCLXXI. — *An Act for the Relief of W. B. Kelley.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to W. B. Kelley, late a second lieutenant in company F, first regiment Kentucky cavalry volunteers, a pension, at the rate of fifteen dollars per month, from the thirty-first day of July, eighteen hundred and sixty-three, to March thirteenth, eighteen hundred and sixty-five, amounting to two hundred and ninety-one dollars and fifty cents.

APPROVED, July 26, 1866.

Pension to
W. B. Kelley.CHAP. CCLXXII. — *An Act granting a Pension to Mrs. Nancy A. Stocks.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Nancy A. Stocks, widow of Reuben Stocks, late a private in company K, eighteenth regiment Illinois infantry volunteers, on the pension roll, at the rate of eight dollars per month, to commence from the eleventh day of June, eighteen hundred and sixty-three, and to continue during her widowhood.

APPROVED, July 26, 1866.

Pension to
Mrs. Nancy A.
Stocks.CHAP. CCLXXIII. — *An Act granting a Pension to Drusey A. Layman.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll the name of Drusey A. Layman, of Palatine, Marion county, West Virginia, widow of Eugenius E. Layman, deceased, late a private in company C of the seventeenth regiment of West Virginia volunteers, and allow and pay to her a pension of eight dollars per month from the death of her husband on the thirteenth day of January, in the year eighteen hundred and sixty-five, to continue during her widowhood.

APPROVED, July 26, 1866.

Pension to
Drusey A. Lay-
man.CHAP. CCLXXIV. — *An Act granting a Pension to John Pyle.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John Pyle, late a sergeant in company B, one hundred and fifth regiment Indiana militia volunteers, on the pension roll, at the rate of fifteen dollars per month, to commence from and after the passage of this act, and to continue during his natural life.

APPROVED, July 26, 1866.

Pension to
John Pyle.CHAP. CCLXXV. — *An Act granting a Pension to Abraham Lansing.*

July 26, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Abraham Lansing, late a master's mate in the United States navy, on the pension roll, at the rate of ten dollars per month, to commence from and after the passage of this act, and to continue during his natural life; said pension to be paid out of the naval pension fund.

APPROVED, July 26, 1866.

Pension to
Abraham Lan-
sing.

July 26, 1866. CHAP. CCLXXVI. — *An Act to extend the Time of Letters Patent issued to Thaddeus Hyatt.*

Patent of Thaddeus Hyatt for improvements in vault covers extended for seven years, upon condition.

Effect of extension.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the letters patent granted to Thaddeus Hyatt on the twelfth day of November, one thousand eight hundred and forty-five, for improvements in vault-covers, and which was reissued on the third day of April, one thousand eight hundred and fifty-five, and subsequently extended by the commissioner of patents to the twelfth day of November, one thousand eight hundred and sixty-six, be, and the same is hereby extended for the term of seven years, commencing on the twelfth day November, one thousand eight hundred and sixty-six, and ending on the twelfth day of November, one thousand eight hundred and seventy-three, for the benefit of the said Thaddeus Hyatt, his heirs, and legal representatives, upon the condition hereinafter set forth. And the commissioner of patents is hereby directed, upon the presentation of said patent, and the payment of the fees and charges provided by law, to extend said patent by making a certificate thereon, upon a certified copy thereof, of such extension in the name of the said Thaddeus Hyatt, if in his judgment upon full hearing, *that* the same should be granted. And the said commissioner is hereby further directed to cause said extension if perfected to be entered on the record of the Patent Office. And the said patent so extended shall have the same effect as if originally granted for the term extending to the end of the term to which it is extended by this act: *Provided, however,* That said extended patent shall be open to legal inquiry and decision in the same manner as if issued under the general law relating to patents: *And provided further,* That all persons enjoying the lawful use of the improvement secured by said patent, and the purchaser of any machine so in use may continue to use the same as if this act had not passed.

APPROVED, July 26, 1866.

July 27, 1866. CHAP. CCXC. — *An Act for the Relief of John Hastings, late Surveyor and Depository of Public Moneys at Pittsburg.*

Credit to be allowed John Hastings in settlement of accounts.
1865, ch. 132.
Vol. xiii. p. 599.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled, "An act for the relief of John Hastings, collector of the port of Pittsburg," approved March third, eighteen hundred and sixty-five, be, and the same is hereby, amended so as to read as follows: That the Secretary of the Treasury be and he is hereby authorized and directed, in adjusting the accounts of John Hastings as depository of public monies at Pittsburg, Pennsylvania, to give him credit for the sum of nine thousand, nine hundred and fifty-six dollars and sixty-two cents, the amount of public money of which he was robbed on the tenth day of March, eighteen hundred and fifty-four, while acting in the aforesaid capacity.

APPROVED, July 27, 1866.

July 27, 1866. CHAP. CCXCI. — *An Act to authorize Samuel Stevens, a Stockbridge Indian, to enter and purchase a certain Tract of Land in the Stockbridge Reservation, Wisconsin.*

Samuel Stevens may enter and purchase a certain tract of land.

1865, ch. 109.
Vol. xiii. p. 530.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Samuel Stevens, a Stockbridge Indian, be, and he is hereby, authorized to enter and purchase the tract of land known as lot number one hundred and twenty-six, in the Stockbridge reservation, in the county of Calumet and State of Wisconsin, under the "Act to authorize the issuing of patents for certain lands in the town of Stockbridge, Wisconsin, and for other purposes," approved March third, eighteen hundred and sixty-five.

SEC. 2. *And be it further enacted,* That the commissioner of the

general land office be, and he is hereby, authorized and directed, upon the entry and payment therefor, to cause a patent, in due form of law, to be issued to the said Samuel Stevens, in conformity with the act above mentioned.

Patent to issue
to Samuel Ste-
vens, upon, &c.

APPROVED, July 27, 1866.

CHAP. CCXCII. — *An Act for the Relief of Mrs. Ann E. Smoot, Widow of Capt. Joseph Smoot.* July 27, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefit of the sixth section of "An act to amend 'An act to promote the efficiency of the navy,'" approved January sixteenth, eighteen hundred and fifty-nine, [seven] be, and the same is hereby, extended to Mrs. Ann E. Smoot, widow of the late Captain John Smoot, of the United States navy, and that the proper accounting officers of the treasury be authorized and directed to pay her the waiting orders pay of his rank which her said husband would be entitled to receive at the time he was placed on the reserved list on furlough pay, to the date of his death, deducting therefrom whatever amount he may have received in the mean time on account of pay.

Payment to
Mrs. Ann E.
Smoot.
1857, ch. 12, § 6.
Vol. xi. p. 154.

APPROVED, July 27, 1866.

CHAP. CCCXIII. — *An Act for the Relief of Francis Colgen.*

July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Francis Colgen, late a private in company B, twelfth regiment Wisconsin volunteers, upon the pension rolls of the United States, at the same rate that is allowed to soldiers or seamen who have lost the sight of both eyes in the military or naval service of the United States, subject to the biennial examination prescribed in the general pension laws; to commence on the fifteenth day of January, eighteen hundred and sixty-three, the date of his discharge from the service.

Pension to
Francis Colgen.

APPROVED, July 28, 1866.

CHAP. CCCXIV. — *An Act for the Relief of William Croswell.*

July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William Croswell, of Boston, in the State of Massachusetts, on the roll of invalid pensioners, at the rate of eight dollars per month, said pension to commence on the first day of February, eighteen hundred and sixty-five; to be paid out of the naval pension fund.

Pension to
William Cros-
well.

APPROVED, July 28, 1866.

CHAP. CCCXV. — *An Act for the Relief of Marion M. Buxton.*

July 28, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Marion M. Buxton, widow of James H. Buxton, late an ensign in the United States navy, on the pension rolls, at the rate prescribed by law for officers of his rank; said pension to be paid out of the "Naval Pension Fund." And in case of the death or re-marriage of the said Marion M. Buxton, then to the minor child or children of the said James H. Buxton, subject to the limitations and restrictions of the pension laws.

Pension to
Marion M. Bux-
ton.

APPROVED, July 28, 1866.

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July 28, 1866

CHAP. CCCXVI. — *An Act for the Relief of Quincy A. May.*Pension to
Quincy A. May.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Quincy A. May, of company H, eighty-third regiment of Illinois volunteers, on the list of pensioners, and pay or cause to be paid to him the sum of eight dollars per month from the passage of this act.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCXVII. — *An Act granting a Pension to Daniel Lucas.*Pension to
Daniel Lucas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Daniel Lucas, of Plymouth, Massachusetts, formerly a private of company E, third U. S. infantry, on the roll of invalid pensions, and pay to him monthly such a sum as he may be entitled [to] under the limitations and restrictions regulating the payment of pensions.

APPROVED, July 28, 1866.

July 28, 1866.

CHAP. CCCXVIII. — *An Act for the Relief of Robert Baldwin.*

Preamble.

1847, ch. 8, § 9.
Vol. ix. p. 125.

WHEREAS, on the fifth day of December, eighteen hundred and forty-nine, Robert Baldwin located at the land office at Milan, in the State of Missouri, three military bounty land-warrants issued under the act of eighteen hundred and forty-seven, each for one hundred and sixty acres and numbered seven thousand eight hundred and forty-seven, twenty-six thousand eight hundred and one, and fifty thousand two hundred and sixty-three, upon the following-described public lands, to wit: The west half lot number one northwest quarter section five: the east half lots number one and two northeast quarter section six in town fifty-seven range sixteen: the southeast quarter southeast quarter, the west half northeast quarter, the east half northwest quarter, the west half southeast quarter, the northeast quarter southeast quarter, and the northeast quarter southwest quarter of section thirty-one town fifty-eight range sixteen, receiving from the register of said land office at Milan, duplicate certificates of location; and whereas the said military bounty land-warrants were lost from the mail in their transmission from said land office to Washington, and have not since been heard from: therefore,

Patents to issue
to Robert Baldwin
for lands in
Missouri upon
surrender of du-
plicate certifi-
cates of location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause patents for said lands to be issued to said Robert Baldwin, upon his surrendering to the commissioner of the general land office the said duplicate certificates of location.

APPROVED, July 28, 1866.

RESOLUTIONS.

[No. 22.] *A Resolution authorizing Commodore William Radford to accept a Decoration from the King of Italy.* April 13, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress be, and the same is hereby, given to Commodore William Radford, of the navy of the United States, to accept the decoration of the Equestrian Order of Saint Maurice, bestowed upon him by the king of Italy, as a reward for the assistance rendered by him to the Italian frigate *Re d'Italia*, when she got ashore near Long Branch.

Commodore
William Radford
may accept a
decoration.

APPROVED, April 13, 1866.

[No. 23.] *A Resolution authorizing Rear-Admiral H. Paulding to accept a Decoration from the King of Italy.* April 13, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Rear-Admiral H. Paulding, of the navy of the United States, may accept a decoration of the Equestrian Order of St. Maurice, which has been tendered to him by the King of Italy as a reward for assistance rendered to the Italian frigate *Re d'Italia* when she got ashore near Long Branch.

Rear-Admiral
H. Paulding may
accept a deco-
ration.

APPROVED, April 13, 1866.

[No. 28.] *Joint Resolution for the Relief of Alexander Thompson, late United States Consul at Maranham.* April 21, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and required to adjust and pay all proper accounts and claims of Alexander Thompson for salary and services as consul at Maranham, in Brazil, in as full and ample a manner as if he had been a citizen of the United States while discharging the duties of said office.

Accounts of
Alexander
Thompson to be
adjusted

APPROVED, April 21, 1866.

[No. 30.] *A Resolution authorizing the Secretary of the Treasury to adjust the Claim of Beals and Dixon against the United States.* May 2, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to cause the accounts of Beals and Dixon, for deliveries of material after May one, eighteen hundred and sixty-one, under their contracts with the United States, to be adjusted and paid; allowing to said Beals and Dixon such additional prices for material delivered after May one, eighteen hundred and sixty-one, as, in his opinion, they may be

Accounts of
Beals and Dixon
to be adjusted.

justly entitled to under the provisions of their supplementary contract, dated January one, eighteen hundred and fifty-seven: *Provided*, That, in the opinion of the Attorney-General, said Beals and Dixon have a legal claim upon the United States for an increase of prices under said contract.

APPROVED, May 2, 1866.

May 5, 1866. [No. 33.] *Joint Resolution providing for the Reappraisal of the Lands described in an Act for the Relief of William Sawyer and others of Ohio.*

Certain lands in Ohio to be reappraised.
1864, ch. 231.
Vol. xiii. p. 584.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to appoint a commissioner to reappraise the lands described in the act entitled "An act for the relief of William Sawyer and others of Ohio," approved July second, eighteen hundred and sixty-four: *Provided*, however, that the occupants of said lands shall pay all the expenses of the reappraisalment.

APPROVED, May 5, 1866.

May 9, 1866. [No. 36.] *Joint Resolution for the Relief of Rev. Harrison Heermance, late Chaplain of [the] One Hundred and Twenty-eighth Regiment New York Volunteers.*

Payment to Harrison Heermance.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General of the army be, and he is hereby, authorized and required to adjust and pay, out of any money appropriated or hereafter to be appropriated for the payment of the army, the account of Rev. Harrison Heermance, late chaplain of the one hundred and twenty-eighth regiment of New York volunteers, for such period as it shall appear that he actually rendered service as chaplain of said regiment, and for which he received no pay by reason of defective muster, or otherwise, though no fault of his own.

APPROVED, May 9, 1866.

June 21, 1866. [No. 54.] *A Resolution referring the Petition and Papers in the Case of Joseph Nock to the Court of Claims.*

Claim of Joseph Nock referred to court of claims.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Joseph Nock for damages occasioned by the annulment of his contract for furnishing locks and keys for the use of the United States mail, and also for the use of said Nock's patent in the manufacture of mail locks subsequent to such annulment, be, and it is hereby, referred to the court of claims for its decision, in accordance with the principles of equity and justice: *Provided*, That said court do not render judgment for a greater sum than is contained in the report of solicitor Comstock to the Senate, dated December twenty-two, anno Domini eighteen hundred and fifty-two.

APPROVED, June 21, 1866.

June 22, 1866. [No. 56.] *A Resolution for the Relief of Samuel Norris.*

Claim of Samuel Norris to be referred to the court of claims.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Samuel Norris of California, for supplies furnished the Indians of that State, under contracts made with certain Commissioners, or either of them, authorized to negotiate treaties with said Indians, and all papers relating thereto, be referred back to the court of claims for examination and allowance; and that in fixing the amount to be paid the claimant the rule shall be the actual value of the supplies furnished at the times and places of delivery, of which due proof shall be made by the claimant.

APPROVED, June 22, 1866.

Rule for determining the amount to be paid.

[No. 59.] *Joint Resolution for the Relief of Charles M. Blake.*

June 27, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Charles M. Blake six months' salary as chaplain in the army, in full for the pay of which he was deprived while waiting investigation into the charges preferred against him, at the close of which investigation he was restored to his position by the Secretary of War.

APPROVED, June 27, 1866.

Payment to
Charles M.
Blake.[No. 60.] *Joint Resolution for the Relief of Elizabeth Woodward and George Chorpenning, of Pennsylvania.*

June 29, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-eight thousand one hundred and seventy-five dollars shall be paid by the Secretary of the Treasury, out of any money not otherwise appropriated, in equal moieties to Elizabeth Woodward, widow of Absalom Woodward, and George Chorpenning, for destruction of property by Indians between Salt Lake and California prior to the first of July, eighteen hundred and fifty-two; the moiety paid to the said Elizabeth Woodward to be for the use of herself and her four children.

Payment to
Elizabeth Wood-
ward.

SEC. 2. *And be it further resolved,* That the further sum of twenty-six thousand three hundred and seventy dollars shall be paid in the same manner to George Chorpenning for property destroyed by Indians between Salt Lake and California prior to the first of April, eighteen hundred and fifty-six; and the amount thus paid shall be deducted from any annuities now due or that may hereafter become due to the Indians inhabiting the said territory.

Payment to
George Chorpen-
ning.Amounts to be
deducted from
annuities.

APPROVED, June 29, 1866.

[No. 61.] *Joint Resolution for the Relief of Ambrose L. Goodrich and Nathan Cornish, for carrying the United States Mail from Boise City to Idaho City, in the Territory of Idaho, and of Daniel Wellington and J. C. Dorsey, for Extra Services in carrying the Mails.*

June 29, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and is hereby, authorized to audit and settle, as to him may appear just and equitable, the demand of Ambrose L. Goodrich and Nathan Cornish for carrying the United States mail on route sixteen thousand and one, from Boise City to Idaho City, in the Territory of Idaho, from the fifth day of July, eighteen hundred and sixty-four, until the first day of July, eighteen hundred and sixty-five; *Provided,* That the amount to be allowed shall not exceed eight thousand dollars; and also to audit and settle in like manner the demand of Daniel Wellington and J. C. Dorsey, for extra services in carrying the United States mails on route number fourteen thousand six hundred and two, between the towns of Carson City and Aurora, in the State of Nevada, from July first, eighteen hundred and sixty-two, to June thirtieth, eighteen hundred and sixty-five: *Provided,* That the amount to be allowed shall not exceed ten thousand dollars.

Demand of
Ambrose L.
Goodrich and
Nathan Cornish
to be audited
and settled;

Proviso.

also that of
Daniel Welling-
ton and J. C.
Dorsey.

Proviso.

APPROVED, June 29, 1866.

[No. 64.] *Joint Resolution for the Relief of Joseph Parkins.*

July 3, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officer of the War Department be, and he is hereby, authorized and instructed to pay to Joseph Parkins, who has been and now is delivering the stone for the construction of the arsenal at Rock Island, in the State

Payment to
Joseph Parkins
in satisfaction of
claims under
contract.

of Illinois, in lieu of the contract price, the sum of thirteen dollars and fifty cents per perch for all stone delivered and to be delivered for the construction of said arsenal, and that said Parkins shall receive and accept said sum as full satisfaction of all claims under said contract, and shall never make any further claim for any services rendered by him thereunder.

APPROVED, July 3, 1866.

July 3, 1866. [No. 65.] *Joint Resolution providing for the Settlement of Accounts of W. H. Hamrick.*

Accounts of
Wyatt H. Ham-
rick to be set-
tled.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be directed to settle the accounts of the late Wyatt H. Hamrick, lieutenant and quartermaster of the thirty-ninth Ohio volunteers, upon equitable terms, and upon the best evidence available.

APPROVED, July 3, 1866.

July 13, 1866. [No. 68.] *Joint Resolution for the Relief of Edgar T. Harris.*

Pension to Ed-
gar T. Harris.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of Edgar T. Harris, late of the First West Virginia Infantry, be placed on the list of pensioners and be entitled to such pension as is now or may hereafter be allowed by law to pensioners having total and permanent disability.

APPROVED, July 13, 1866.

July 23, 1866. [No. 70.] *Joint Resolution for the Relief of John Wells and Sons, of Baltimore.*

Penalty under
contract to be re-
mitted to John
Wells and Sons.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the quartermaster-general, with the proper accounting officers of the Treasury Department, is hereby authorized to remit to John Wells and Sons, of Baltimore, Maryland, so much of the penalty incurred by them by reason of their failure to comply with their contract entered into on the fourth day of October, eighteen hundred and sixty-three, with Captain S. H. Dunan, A. Q. M., under the direction of the quartermaster-general, for repairing the steamer "City of Albany" as may not be covered by the actual loss of the government, by reason of the delay in completing said steamer in accordance with the strict terms of the contract.

APPROVED, July 23, 1866.

July 23, 1866. [No. 71.] *Joint Resolution for the Relief of Caroline A. Randall, Administratrix and Widow of Charles B. Randall, deceased.*

Payment to
legal representa-
tives of Lieut.-
Colonel Charles
B. Randall, for
horse lost in the
military service.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and directed to pay to the legal representatives of Charles B. Randall, deceased, late lieutenant-colonel of the 149th regiment New York volunteer infantry, who was killed in action, on the twentieth July, eighteen hundred and sixty-four, at the battle of Beech-Tree Creek, Georgia, the sum of one hundred and seventy-five dollars, out of any money in the treasury not otherwise appropriated, as payment for one private horse used by said Randall in the military service, which horse was lost by starvation five days after the death of said Randall.

APPROVED, July 23, 1866.

[No. 72.] *Joint Resolution for the Relief of Isaac Ranney, Internal Revenue Collector for the Eighth District, Ohio.* July 23, 1866.

WHEREAS, on the night of the twenty-fifth day of June, A. D. eighteen hundred and sixty-five, the office of Thomas J. Robinson, deputy collector of Isaac Ranney, internal revenue collector for the eighth district, Ohio, located at Mansfield in said State, was burglariously entered by persons whose names are unknown; and whereas said burglars did, on the night aforesaid, at the office aforesaid, by means of drills and gunpowder, break into and enter the iron safe of said deputy collector, and feloniously steal and carry away revenue stamps therefrom belonging to the government of the United States to the amount of six hundred and thirty-two dollars and twenty-three cents; and whereas, further, said burglarious entry and larceny was not attributable to any neglect of duty on the part of said Thomas J. Robinson, as such deputy collector, and that said office and safe were in all respects such as were required by the law and the regulations of the Treasury Department: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed and required in the settlement of the accounts of said Isaac Ranney, as such internal revenue collector, with the government of the United States, to allow and give credit to the said Ranney for the amount of said stamps stolen as aforesaid.

APPROVED, July 23, 1866.

Preamble

Isaac Ranney
to be credited
with amount of
stamps stolen.

[No. 78.] *A Resolution to refer the Claim of the Administrator of Richard W. Meade, deceased, to the Court of Claims.* July 25, 1866.

WHEREAS doubts are entertained whether the claim of the estate of Richard W. Meade, deceased, upon the government of the United States is covered and embraced by the ninth section of the act of third March, eighteen hundred and sixty-three, entitled "An act to amend an act to establish a court for the investigation of claims against the United States," approved February twenty-four, eighteen hundred and fifty-five, which case was referred to the said court by resolution of the Senate, passed twenty-seventh February, eighteen hundred and sixty-one. Now, in order to remove all doubts on that subject,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said claim of Richard W. Meade, administrator of Richard W. Meade, deceased, be, and the same is hereby, referred to the court of claims for adjudication thereof, pursuant to authority conferred upon said court by any existing law to examine and decide claims against the United States, referred to it by Congress.

APPROVED, July 25, 1866.

Preamble.
1855, ch. 122.
Vol. x. p. 612.
1863, ch. 92, § 9.
Vol. xii. p. 765.

Claim of Richard W. Meade, administrator, referred to court of claims.

[No. 88.] *A Resolution for the Relief of Sergeant Milton McKinnon.*

July 26, 1866.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to Sergeant Milton McKinnon the sum of fifty-eight dollars and forty-five cents, being the amount of a draft drawn in his favor by Major M. L. Martin, late paymaster in the United States army, on the assistant treasurer of the United States in New York, dated March twenty-fourth, eighteen hundred and sixty-four, and which was lost in its transmission to New York: *Provided,* That said Milton McKinnon file a duplicate of said draft, duly authenticated, with said Secretary of the Treasury; also, that the payment herein authorized shall not be made until the said McKinnon shall execute to the United States a bond, with security, to be approved by the Secretary of the Treasury, conditioned to indemnify the United States against all

Payment to
Sergeant Milton
McKinnon
amount of lost
draft.

Duplicate to
be filed and in-
demnity given.

loss, cost, or damage incurred by reason of the payment hereby authorized.

APPROVED, July 26, 1866.

July 26, 1866. [No. 89.] *A Resolution authorizing the Secretary of the Treasury to audit and settle the Accounts of Caleb T. Fay and William Y. Patch, late Assessor and Collector of Internal Revenue at San Francisco.*

Accounts of
Caleb T. Fay and
William Y.
Patch to be
audited and set-
tled.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be authorized to audit and settle the accounts of Caleb T. Fay, and William Y. Patch, late assessor and collector of internal revenue at San Francisco, as to him may appear just and equitable.

APPROVED, July 26, 1866.

July 27, 1866.

[No. 94.] *A Resolution for the Relief of Charles M. Blake.*

Payment to
Charles M.
Blake.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to Charles M. Blake, the full pay and allowances of a chaplain in the army for one year from the eighteenth day of May, eighteen hundred and sixty-five to the seventeenth day of May, eighteen hundred and sixty-six, the same being the sum of fifteen hundred and sixty-dollars (\$1560) less the amount which may have been paid him by the effect of Joint Resolution for his relief, approved June twenty-seventh, eighteen hundred and sixty-six.

Ante, p. 33.

APPROVED, July 27, 1866.

July 27, 1866.

[No. 95.] *Joint Resolution for the Relief of Fontaine T. Fox, Jr.*

Payment to
Fontaine T. Fox,
Jr.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the government be, and they are hereby, authorized and directed to pay to Fontaine T. Fox, jr., late aide-de-camp to Brigadier-General W. T. Ward, a sum equal to the pay and allowances of a first lieutenant and aide-de-camp, from the eighth day of October, eighteen hundred and sixty-one, to the third day of April, eighteen hundred and sixty-two.

APPROVED, July 27, 1866.

July 28, 1866.

[No. 103.] *Joint Resolution to reimburse Mrs. Mary Phelps, of Missouri.*

Reimburse-
ment of Mrs.
Mary Phelps.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Mrs. Mary Phelps, of Missouri, out of any money in the treasury not otherwise appropriated, the sum of twenty thousand dollars to reimburse her for expenditures made by her in raising and equipping troops for the United States in the late rebellion, and also for her expenditures made in behalf of the soldiers of the Union wounded in battle, and of the orphan children of soldiers of the Union.

APPROVED, July 28, 1866.

July 28, 1866.

[No. 104.] *Joint Resolution to provide for Payment of the Claim of Colonel H. C. De Ahna for Military Services.*

Payment to
Henry Charles
De Ahna.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper disbursing and accounting officers of the treasury be, and they are hereby, authorized and directed to pay to Henry Charles De Ahna a sum equal to the pay, allowances, and emoluments of a colonel of infantry in active service, for

one year from the thirty-first day of March, eighteen hundred and sixty-two, and that such amount so allowed as aforesaid be paid to him out of any moneys in the treasury not otherwise appropriated. And he shall be considered honorably mustered out of the military service.

Honorably
mustered out of
military service.

APPROVED, July 28, 1866.

[No. 105.] *Joint Resolution authorizing the Secretary of War to contract with Dr. Alexander Dunbar.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized and directed to contract on such terms as, in his discretion he may think fair and reasonable, with Dr. Alexander Dunbar, for the use by the government of the alleged discovery of the said Dunbar of a mode of treatment of the diseases of the horse's foot, and for his services for one year in instructing the farriers of the army in such treatment; the amount agreed upon to be paid out of the fund already appropriated for the purchase of horses or general support of the army.

Secretary of
War may con-
tract with Dr.
Alexander Dun-
bar, for, &c.

APPROVED, July 28, 1866.

[No. 106.] *Joint Resolution to pay Colonel Lewis F. Fix.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the United States are hereby directed to pay to Lewis Ferdinand Fix of Ohio, the pay and emoluments of a lieutenant-colonel of infantry, for the time from the first day of March, eighteen hundred and sixty-five, to the twenty-ninth of July, eighteen hundred and sixty-five.

Payment to
Lewis Ferdinand
Fix as lieuten-
ant-colonel

APPROVED, July 28, 1866.

[No. 107.] *Joint Resolution authorizing the Secretary of the Interior to pay Charles M. Pott a Pension of fifteen Dollars per Month.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay or cause to be paid to Charles M. Pott, late of company K, one hundred and seventy-ninth Pennsylvania militia, now on the pension roll, the same pension provided for, for persons having lost one hand in the military service of the United States, as provided in section one of an act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six.

Pension to
Charles M. Pott.

1866, ch. 106, § 1.
Ante, Public
Laws, p. 56.

APPROVED, July 28, 1866.

[No. 108.] *Joint Resolution to authorize the Payment of Rev. C. B. Boynton, as Chaplain of the House of Representatives of the Thirty-ninth Congress.* July 28, 1866.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Rev. Charles B. Boynton is authorized to draw the amount appropriated to the payment of the chaplain of the House for the Thirty-ninth Congress.

Payment to
Rev. Charles B.
Boynton, as
Chaplain of the
House.

APPROVED, July 28, 1866.

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TREATIES

CONCLUDED BY THE

UNITED STATES OF AMERICA,

WITH

FOREIGN NATIONS AND INDIAN TRIBES.

Carefully collated with the Originals at Washington.

EDITED BY

GEORGE P. SANGER,

COUNSELLOR AT LAW.

The rights and interest of the United States in the stereotype plates from which this work is printed, are hereby recognized, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 3, 1845.

TO BE CONTINUED ANNUALLY.

BOSTON:
LITTLE, BROWN, AND COMPANY.

1866.

ADVERTISEMENT.

IN publishing the following Laws, the same plan has been adopted that was prescribed in the Joint Resolution of Congress of March 3, 1845, authorizing a subscription to the edition of all the Laws of the United States published by us. A close examination of this volume will disclose some apparent errors in the Laws as here printed; but as we procure a careful collation with the records at Washington by an experienced reader of the Department of State, and scrupulously follow the original, any seeming errors must be attributed to the Rolls, and not to us. Where anything absolutely necessary to the sense is omitted in the Rolls, it is inserted in the text, enclosed in brackets.

We intend to publish annually, and as soon after the close of each Session of Congress as is possible, the Acts of that Session, in a similar form and with a similar arrangement.

It will be seen, by the following extracts from the Act of Congress, August 8, 1846, and the Joint Resolutions of September 26, 1850, and March 31, 1866, that our edition has been sanctioned by Congress, and is the OFFICIAL EDITION.

“And whereas said edition of the said LAWS AND TREATIES OF THE UNITED STATES has been carefully collated and compared with the original Rolls in the Archives of the Government, under the inspection and supervision of the Attorney-General of the United States, as duly certified by that officer: therefore, *Be it further enacted*, that said edition of the LAWS AND TREATIES OF THE UNITED STATES, published by LITTLE & BROWN, is hereby declared to be competent evidence of the several Public and Private Acts of Congress, and of the several Treaties therein contained, in all the Courts of Law and Equity and Maritime Jurisdiction, and in all the Tribunals and Public Offices of the United States and of the several States, *without any further proof or authentication thereof.*” — APPROVED, August 8, 1846.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be authorized and directed to contract with LITTLE & BROWN to furnish their annual Statutes at Large, printed in conformity with the plan adopted by Congress in eighteen hundred and forty-five, instead of the edition usually issued by his order, under the act of Congress of April twentieth, eighteen hundred and eighteen, and which conforms to an edition of the laws now out of use.” — APPROVED, September 26, 1850.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, authorized and directed to renew the contract of October thirty-first, eighteen hundred and fifty, between the Department of State and LITTLE, BROWN, AND COMPANY, of Boston, Massachusetts, for the annual publication of the Statutes at Large of the United States until otherwise ordered by Congress, in conformity with the joint resolutions approved respectively March third, eighteen hundred and forty-five, and September thirtieth [twenty-sixth], eighteen hundred and fifty.” — APPROVED, March 31, 1866.

LITTLE, BROWN, AND COMPANY

Boston, September, 1866.

Entered according to Act of Congress, in the year 1866, by
LITTLE, BROWN, AND COMPANY,
in the Clerk's Office of the District Court of the District of Massachusetts.

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Convention between the United States and the Empire of Japan; Concluded at Yedo January 28, 1864; Proclaimed April 9, 1866.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Jan. 28, 1864.

A PROCLAMATION.

WHEREAS a Convention between the United States of America and the Empire of Japan, for the reduction of import duties, was concluded and signed by their respective plenipotentiaries, at Yedo, on the twenty-eighth day of January, eighteen hundred and sixty-four, which Convention being in the English, Japanese, and Dutch languages, is word for word as follows:—

Preamble.

CONVENTION.

For the purpose of encouraging and facilitating the commerce of the citizens of the United States in Japan; and after due deliberation, his excellency Robert H. Pruyn, minister resident of the United States in Japan, and his excellency Sibata Sadataro, governor for foreign affairs, both having full powers from their respective governments, have agreed on the following articles, viz:—

Contracting parties.

ARTICLE I. The following articles, used in the preparation and packing of teas, shall be free of duty:

Articles free of duty.

Sheet lead, solder, matting, ratan, oil for painting, indigo, gypsum, firing pans, and baskets.

ARTICLE II. The following articles shall be admitted at the reduced duty of five per cent:

At reduced duty of five per cent.

Machines and machinery; drugs and medicines. (Note.—The prohibition of the importation of opium according to the existing treaty remains in full force.) Iron, in pigs or bars; sheet iron and iron wire; tin plates; white sugar, in loaves or crushed; glass and glassware; clocks, watches, and watch-chains; wines, malted and spirituous liquors.

ARTICLE III. The citizens of the United States importing or exporting goods shall always pay the duty fixed thereon, whether such goods are intended for their own use or not.

Those importing and exporting to pay the duty.

ARTICLE IV. This Convention having been agreed upon a year ago, and its signature delayed through unavoidable circumstances, it is hereby agreed that the same shall go into effect at Kanagawa on the 8th of February next, corresponding to the first day of the first month of the fourth Japanese year of Bunkin Ne, and at Nagasaki and Hakodate on the 9th day of March next, corresponding to the first day of the second month of the fourth Japanese year of Bunkin Ne.

When this convention takes effect.

Done in quadruplicate, each copy being written in the English, Japanese, and Dutch languages, all the versions having the same meaning, but the Dutch version shall be considered as the original.

Execution.

In witness whereof, the above-named plenipotentiaries have hereunto set their hands and seals, at the city of Yedo, the twenty-eighth day of

CONVENTION WITH JAPAN. JANUARY 28, 1864.

January of the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-eighth, corresponding to the twentieth day of the twelfth month of the third year of Bunkin Ye of the Japanese era.

[SEAL.]

ROBERT H. PRUYN.

Ratification }
proclaimed. } s

And whereas the said Convention has been duly ratified on both parts: Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this ninth day of April, in the year of our Lord one thousand eight hundred and sixty-six,
[L. S.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Chippewa Indians of Saginaw, Swan Creek, and Black River, Michigan; Concluded October 18, 1864; Ratification advised, with Amendments, May 22, 1866; Amendments accepted, June 18, 1866; Proclaimed August 16, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

October 18, 1864.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS a treaty was made and concluded at Isabella, in the State of Michigan, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-four, by and between H. J. Alvord and D. C. Leach, Commissioners, on the part of the United States, and S. D. Simonds, Lyman Bennett, Jno. Pay-me-quo-ung, and other chiefs and headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River, in the State of Michigan, representing said Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Preamble.

ARTICLES OF AGREEMENT AND CONVENTION made and concluded at the Isabella Indian reservation, in the State of Michigan, on the eighteenth day of October, in the year one thousand eight hundred and sixty-four, between H. J. Alvord, special Commissioner for the United States, and D. C. Leach, United States Indian agent, acting as Commissioners for and on the part of the United States, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan aforesaid, parties to the Treaty of August 2d, 1855, as follows, viz:—

Contracting parties.

Vol. xi. p. 633.

ARTICLE I. The said Chippewas of Saginaw, Swan Creek, and Black River, for and in consideration of the conditions hereinafter specified, do hereby release to the United States the several townships of land reserved to said tribe by said treaty aforesaid, situate and being upon Saginaw Bay, in said State.

Release to the United States of reservation and of right to locate and purchase certain lands.

The said Indians also agree to relinquish to the United States all claim to any right they may possess to locate lands in lieu of lands sold or disposed of by the United States upon their reservation at Isabella, and also the right to purchase the unselected lands in said reservation, as provided for in the first article of said treaty.

ARTICLE II. In consideration of the foregoing relinquishments, the United States hereby agree to set apart for the exclusive use, ownership, and occupancy of the said *of the said* Chippewas of Saginaw, Swan Creek, and Black River, all of the unsold lands within the six townships in Isabella county, reserved to said Indians by the treaty of August 2d, 1855, aforesaid, and designated as follows, viz:—

Certain lands set apart for the Indians in Isabella county.

The north half of township fourteen, and townships fifteen and sixteen north, of range three west; the north half of township fourteen and township fifteen north, of range four west, and townships fourteen and fifteen north, of range five west.

ARTICLE III. So soon as practicable after the ratification of this treaty, the persons who have heretofore made selections of lands within the townships upon Saginaw Bay, hereby relinquished, may proceed to make selections of lands upon the Isabella reservation, in lieu of their selections aforesaid, and in like quantities.

Mode and order of selections of lands in lieu of those relinquished.

After a reasonable time shall have been given for the parties aforesaid to make their selections in lieu of those relinquished, the other persons entitled thereto may then proceed to make their selections, in quantities as follows, viz : —

- Chiefs. For each chief of said Indians who signs this treaty, eighty acres in addition to their selections already made, and to patents in fee simple.
- Headmen. For one headman in each band into which said Indians are now divided, forty acres, and to patents in fee simple.
- Heads of families. For each person being the head of a family, eighty acres.
- Single persons. For each single person over the age of twenty-one years, forty acres.
- Orphan children. For each orphan child under the age of twenty-one years, forty acres.
- Married women. For each married female who has not heretofore made a selection of land, forty acres.
- Other persons. And for each other person now living or who may be born hereafter, when he or she shall have arrived at the age of twenty-one years, forty acres, so long as any of the lands in said reserve shall remain unselected, and no longer.

William Smith and others may select lands, and receive patents therefor. In consideration of important services rendered to said Indians during many years past by William Smith, John Collins 1st, Andrew J. Campeau, and Thomas Chatfield, it is hereby agreed that they shall each be allowed to select eighty acres in addition to their previous selections, and receive patents therefor in fee simple; and to Charles H. Rodd, eighty acres, and a patent therefor in fee simple, to be received by said Rodd as a full consideration and payment of all claims he may have against said Indians, except claims against individuals for services rendered or money expended heretofore by said Rodd for the benefit of said Indians.

Certain Ottawas, Chippewas, and Pottawatomies may select and hold lands. It is understood and agreed that those Ottawas and Chippewas and Pottawatomies now belonging to the bands of which Metayomeig, Mayme-she-gaw-day, Keche-kebe-me-mo-say, and Waw-be-maw-ing-gun are chiefs, who have heretofore made selections upon said reservations, by permission of said Chippewas of Saginaw, Swan Creek, and Black River, who now reside upon said reservation in Isabella county, or who may remove to said reservation within one year after the ratification of this treaty, shall be entitled to the same rights and privileges to select and hold land as are contained in the third article of this agreement.

Agent to make lists. So soon as practicable after the ratification of this treaty, the agent for the said Indians shall make out a list of all those persons who have heretofore made selections of lands under the treaty of August 2d, 1855, aforesaid, and of those who may be entitled to selections under the provisions of this treaty, and he shall divide the persons enumerated in said list into two classes, viz : "competent" and "those not so competent."

Two classes. Those who are intelligent, and have sufficient education, and are qualified by business habits to prudently manage their affairs, shall be set down as "competents," and those who are uneducated, or unqualified in other respects to prudently manage their affairs, or who are of idle, wandering, or dissolute habits, and all orphans, shall be set down as "those not so competent."

Those not so competent. Patents to those of both classes. The United States agrees to issue patents to all persons entitled to selections under this treaty, as follows, viz : To those belonging to the class denominated "competents," patents shall be issued in fee simple, but to those belonging to the class of "those not so competent," the patent shall contain a provision that the land shall never be sold or alienated to any person or persons whomsoever, without the consent of the Secretary of the Interior for the time being.

Manual-labor school. BUILDING IV. The United States agrees to expend the sum of twenty thousand dollars for the support and maintenance of a manual-labor school upon said reservation: *Provided*, That the Missionary Society of the Methodist Episcopal Church shall, within three years after the ratification of this treaty, at its own expense, erect suitable buildings for school

Buildings.

and boarding-house purposes, of a value of not less than three thousand dollars, upon the southeast quarter of section nine, township fourteen north, of range four west, which is hereby set apart for that purpose.

The superintendent of public instruction, the lieutenant-governor of the State of Michigan, and one person, to be designated by said Missionary Society, shall constitute a board of visitors, whose duty it shall be to visit said school once during each year, and examine the same, and investigate the character and qualifications of its teachers, and all other persons connected therewith, and report thereon to the commissioner of Indian affairs.

Board of visitors of such school.

The said Missionary Society of the Methodist Episcopal Church shall have full and undisputed control of the management of said school, and the farm attached thereto. Upon the approval and acceptance of the school and boarding-house buildings by the board of visitors, the United States will pay to the authorized agent of said Missionary Society, for the support and maintenance of the school, the sum of two thousand dollars, and the like sum annually thereafter, until the whole sum of twenty thousand dollars shall have been expended.

Control, &c. of school and farm.

Annual appropriation;

The United States reserves the right to suspend the annual appropriation of two thousand dollars for said school, in part or in whole, whenever it shall appear that said Missionary Society neglects or fails to manage the affairs of said school and farm in a manner acceptable to the board of visitors aforesaid; and if, at any time within a period of ten years after the establishment of said school, said Missionary Society shall abandon said school or farm for the purposes intended in this treaty, then, and in such case, said society shall forfeit all of its rights and franchises under this treaty, and it shall then be competent for the Secretary of the Interior to sell or dispose of the land hereinbefore designated, together with the buildings and improvements thereon and expend the proceeds of the same for the educational interests of the Indians in such manner as he may deem advisable.

may be suspended.

If school and farm are abandoned, the rights under this treaty are lost.

Amendment. *Post*, p. 7. Land and buildings may be sold.

At the expiration of ten years after the establishment of said school, if said Missionary Society shall have conducted said school and farm in a manner acceptable to the board of visitors during said ten years, the United States will convey to said society the land before mentioned by patent in fee simple.

Land to be conveyed in fee simple, if, &c. Amendment. *Post*, p. 7.

In case said Missionary Society shall fail to accept the trust herein named within one year after the ratification of this treaty, then, and in that case, the said twenty thousand dollars shall be placed to the credit of the educational fund of said Indians, to be expended for their benefit in such manner as the Secretary of the Interior may deem advisable.

If society does not accept trust, &c.

It is understood and agreed that said Missionary Society may use the school-house, now standing upon land adjacent to the land hereinbefore set apart for a school-farm, where it now stands, or move it upon the land so set apart.

Present school-house.

ARTICLE V. The said Indians agree that, of the last two payments of eighteen thousand eight hundred dollars each, provided for by the said treaty of August second, eighteen hundred and fifty-five, the sum of seventeen thousand six hundred dollars may be withheld, and the same shall be placed to the credit of their agricultural fund, to be expended for their benefit in sustaining their blacksmith shop, in stock, animals, agricultural implements, or in such other manner as the Secretary of the Interior may deem advisable.

Blacksmith shop, stock, tools, &c.

ARTICLE VI. The commissioner of Indian affairs may, at the request of the chiefs and headmen, sell the mill and land belonging thereto at Isabella City, on said reservation, and apply the proceeds thereof for such beneficial objects as may be deemed advisable by the Secretary of the Interior.

Mill and land at Isabella City may be sold.

ARTICLE VII. Inasmuch, as the mill belonging to said Indians is partly located upon land heretofore selected by James Nicholson, it is hereby agreed that upon a relinquishment of ten acres of said land by

James Nicholson may select 80 acres, upon, &c.

Amendment. said Nicholson, in such form as may be determined by the agent for said
Post, p. 7. Indians, he, the said Nicholson, shall be entitled to select eighty acres and
to receive a patent therefor in fee simple.

Eighth article of former treaty not affected. ARTICLE VIII. It is hereby expressly understood that the eighth article of the treaty of August second, eighteen hundred and fifty-five, shall in no wise be affected by the terms of this treaty.

Execution. In testimony whereof, the said H. J. Alvord and the said D. C. Leach, Commissioners as aforesaid, and the undersigned chiefs and headmen of the Chippewas of Saginaw, Swan Creek, and Black River, have hereto set their hands and seals at Isabella, in the State of Michigan, the day and year first above written.

H. J. ALVORD, [SEAL.]
D. C. LEACH, [SEAL.]
Special Commissioners.

In the presence of—

RICHD. M. SMITH,
CHARLES H. RODD, *U. S. Interpreter*,
GEORGE BRADLEY.

S. D. SIMONDS, chief,	his x mark.	[SEAL.]
LYMAN BENNETT, headman,	his x mark.	[SEAL.]
JNO. PAY-ME-QUO-UNG, chief,	his x mark.	[SEAL.]
WILLIAM SMITH, headman,	his x mark.	[SEAL.]
NAUCK-CHE-GAW-ME, chief,	his x mark.	[SEAL.]
ME-SQUAW-WAW-NAW-QUOT, headman,	his x mark.	[SEAL.]
THOMAS DUTTON, chief,	his x mark.	[SEAL.]
PAIM-WAY-WE-DUNG, headman,	his x mark.	[SEAL.]
ELLIOTT KAYBAY, chief,	his x mark.	[SEAL.]
SOLOMON OTTAWA, headman,	his x mark.	[SEAL.]
ANDW. O-SAW-WAW-BUN, chief,	his x mark.	[SEAL.]
THOS. WAIN-DAW-NAW-QUOT, headman,	his x mark.	[SEAL.]
NAW-TAW-WAY, chief,	his x mark.	[SEAL.]
I-KAY-CHE-NO-TING, headman,	his x mark.	[SEAL.]
WILLIAM SMITH, chief,	his x mark.	[SEAL.]
NAW-GAW-NEVAY-WE-DUNG, headman,	his x mark.	[SEAL.]
NAW-WE-KE-ZHICK, chief,	his x mark.	[SEAL.]
I-YALK, headman,	his x mark.	[SEAL.]
NAY-AW-BE-TUNG, chief,	his x mark.	[SEAL.]
JOS. WAW-BE-KE-ZHICK, headman,	his x mark.	[SEAL.]
SAML. MEZ-HAW-QUAW-NAW-UM, chief,	his x mark.	[SEAL.]
JOHN P. WILLIAMS, headman,	his x mark.	[SEAL.]
L. PAY-BAW-MAW-SHE, chief,	his x mark.	[SEAL.]
NE-GAW-NE-QUO-UM, headman,	his x mark.	[SEAL.]
DAVID FISHER, chief,	his x mark.	[SEAL.]
WAW-BE-MAN-I-DO, headman,	his x mark.	[SEAL.]
NE-BE-NAY-AW-NAW-QUOT-WAY-BE, chief,	his x mark.	[SEAL.]
KEY-O-GWAW-NAY-BE, headman,	his x mark.	[SEAL.]

In the presence of—

RICHD. M. SMITH,
CHARLES H. RODD, *U. S. Interpreter*.

AMOS F. ALBRIGHT, *Supt. Mills.*
 MARCUS GRINNELL, *U. S. Blacksmith.*
 M. D. BOURASSA,
 F. C. BABBITT,
 GEORGE BRADLEY.

ISABELLA CITY, MICHIGAN, Oct. 21, 1864.

TO H. J. ALVORD, Esq.,
Special Com'r, &c.

Interpreter Charles H. Rodd having fully explained and interpreted to me the treaty made by you and Indian Agent Leach, special Com'rs, &c., with the Chippewas of Saginaw, Swan Creek, and Black River, Michigan, and concluded the 18th instant, you are hereby authorized to put my name to the same along with the other chiefs.

NAY-AW-BE-TUNG, his x mark,
Chief Chippewas of Saginaw, Swan Creek, and Black River, Michn.

In the presence of—

CHAS. H. RODD, *U. S. Interpreter.*

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian reservation, in the State of Michigan, on the eighteenth day of October, eighteen hundred and sixty-four, between the United States, by their Commissioners, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan, with the following

AMENDMENTS :

Amendments.
Ante, pp. 5, 6.

1st. Article 4, after the word "rights," at the end of line 11, insert the following: *in the lands, buildings.*

2d. Same article, page 13, line 7, strike out the words "in fee simple," and insert in lieu thereof the following: *in trust for the benefit of said Indians.*

3d. Article 7, after the word "acres," in line 9, insert as follows; *of land, subject to the approval of the Secretary of the Interior.*

Attest:

J. W. FORNEY, *Secretary.*

And whereas the foregoing amendments having been fully explained and interpreted to the chiefs and headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River, whose names are subscribed to the writing hereto following, they did, on the eighteenth day of June, one thousand eight hundred and sixty-six, give their free and voluntary assent to the said amendments, in the words and figures following, to wit:—

Whereas, the Senate of the United States, in executive session, did, on the twenty-second day of May, A. D. eighteen hundred and sixty-six, advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian reservation, in the State of

Amendments
 assented to.

Michigan, on the eighteenth day of October, eighteen hundred and sixty-four, between the United States, by their Commissioners, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan, with the following amendments, viz: —

1st. Article 4, after the word "rights," at the end of line 11, insert the following: *in the lands, buildings.*

2d. Same article, page 13. line 7, strike out the words "in fee simple," and insert in lieu thereof the following: *in trust for the benefit of said Indians.*

3d. Article 7, after the word "acres," in line 9, insert as follows: *of land, subject to the approval of the Secretary of the Interior.*

And whereas the foregoing amendments have been fully interpreted and explained to the undersigned, chiefs and headmen of the Chippewas of Saginaw, Swan Creek, and Black River, we do hereby agree to and ratify the same.

Done at the Mackinac Agency, in the State of Michigan, on this eighteenth of June, eighteen hundred and sixty-six.

S. D. SIMONDS, chief,	his x mark.	[SEAL.]
LYMAN BENNETT, headman,	his x mark.	[SEAL.]
JOHN PAY-ME-QUO-UNG, chief,	his x mark.	[SEAL.]
WILLIAM SMITH, headman,	his x mark.	[SEAL.]
ANDREW O-SAW-WAW-BUN, chief,	his x mark.	[SEAL.]
JAMES KAW-GE-GAY-O-SAY, headman,	his x mark.	[SEAL.]
NAW-TAW-WAY, chief,	his x mark.	[SEAL.]
KAY-SHE-SHAW-WAY, headman,	his x mark.	[SEAL.]
WILLIAM SMITH, chief,	his x mark.	[SEAL.]
WILLIAM HART, headman,	his x mark.	[SEAL.]
NAW-WE-KE-ZHICK, chief,	his x mark.	[SEAL.]
I-YALK, headman,	his x mark.	[SEAL.]
NAY-AW-BE-TUNG, chief,	his x mark.	[SEAL.]
KAW-GE-GAY-BE, headman,	his x mark.	[SEAL.]
SAML. MEZHAW-QUAW-NAW-RUN, chief,	his x mark.	[SEAL.]
JOHN P. WILLIAMS, headman,	his x mark.	[SEAL.]
L. PAY-BAW-WAW-SHE, chief,	his x mark.	[SEAL.]
NE-GAW-NE-QUO-UM, headman,	his x mark.	[SEAL.]
NAUCK-CHE-GAW-ME, chief,	his x mark.	[SEAL.]
ME-SQUAW-WAW-NAW-QUOT, headman,	his x mark.	[SEAL.]
ELIJAH PILCHER, chief,	his x mark.	[SEAL.]
PAIM-WAY-WE-DUNG, headman,	his x mark.	[SEAL.]
DAVID FISHER, chief,	his x mark.	[SEAL.]
WAW-BE-MAW-NE-DO, headman,	his x mark.	[SEAL.]
NE-BE-NAY-AW-NAW-QUOT-WAY-BE, chief,	his x mark.	[SEAL.]
KEY-O-GWAW-NAY-BE, headman,	his x mark.	[SEAL.]
ELLIOTT KAY-BAY, chief,	his x mark.	[SEAL.]

In the presence of —

RICHD. M. SMITH, *U. S. Indian Agent.*

CHAS. R. RODD, *U. S. Interpreter.*

AMOS F. ALBRIGHT, *Supt. Mill.*

JOHN IRONS, *Missionary.*

GEORGE BRADLEY, *late Missionary.*

W. H. NELSON, *Judge Probate Isabella Co., Michn.*
 F. C. BABBITT, *Postmaster Isabella City, Michn.*
 L. BENTLY, *Treasurer Isabella Co., Michn.*
 MILTON BRADLEY, *Clerk Isabella Co., Michn.*
 P. C. ANDRÉ, *Special Interpreter.*

OFFICE MACKINAC INDIAN AGENCY,
Detroit, July 7, 1866.

I do hereby certify on honor that the foregoing amendments to the treaty negotiated with the Chippewas of Saginaw, Swan Creek, and Black River, within this agency, the eighteenth day of October, eighteen hundred and sixty-four, were by me submitted to the said Indians, and that the same were duly assented to and ratified by them.

RICHD. M. SMITH,
U. S. Indian Agent.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid.

Proclaimed.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this sixteenth day of August, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Convention between the United States and the Empire of Japan; Concluded October 22, 1864; Proclaimed April 9, 1866.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. Oct. 22, 1864.

A PROCLAMATION.

WHEREAS a Convention between the Empire of Japan and the governments of the United States, Great Britain, France, and Holland, providing for the payment to said governments of the sum of three million dollars (\$3,000,000) for indemnities and expenses, was concluded and signed by their respective plenipotentiaries on the twenty-second day of October, eighteen hundred and sixty-four, which Convention, being in the English, Dutch, and Japanese languages, is word for word as follows:—

Preamble.

CONVENTION.

The representatives of the United States of America, Great Britain, France, and the Netherlands, in view of the hostile acts of Mori Daizen, prince of Nagato and Suwo, which were assuming such formidable proportions as to make it difficult for the Tycoon faithfully to observe the treaties, having been obliged to send their combined forces to the Straits of Simonoseki in order to destroy the batteries erected by that daimio for the destruction of foreign vessels and the stoppage of trade; and the government of the Tycoon, on whom devolved the duty of chastising this rebellious prince, being held responsible for any damage resulting to the interests of treaty powers, as well as the expenses occasioned by the expedition:

Amount of damages to be paid the four treaty powers.

The undersigned, representatives of treaty powers, and Sakai Hida no Kami, a member of his second council, invested with plenipotentiary powers by the Tycoon of Japan, animated with the desire to put an end to all reclamations concerning the acts of aggression and hostility committed by the said Mori Daizen since the first of these acts, in June, 1863, against the flags of divers treaty powers, and at the same time to regulate definitively the question of indemnities of war, of whatever kind, in respect to the allied expedition to Simonoseki, have agreed and determined upon the four articles following:—

I. The amount payable to the four powers is fixed at three millions of dollars. This sum to include all claims, of whatever nature, for past aggressions on the part of Nagato, whether indemnities, ransom for Simonoseki, or expenses entailed by the operations of the allied squadrons.

All claims included.

II. The whole sum to be payable quarterly, in instalments of one sixth, or half a million dollars, to begin from the date when the representatives of said powers shall make known to the Tycoon's government the ratification of this Convention and the instructions of their respective governments.

Instalments, and when payable.

III. Inasmuch as the receipt of money has never been the object of the said powers, but the establishment of better relations with Japan, and the desire to place these on a more satisfactory and mutually advantageous footing is still the leading object in view; therefore, if his Majesty the Tycoon wishes to offer, in lieu of payment of the sum claimed, and as a material compensation for loss and injury sustained, the opening of Simonoseki, or some other eligible port in the Inland sea, it shall be at the

Opening of a port in the Inland sea may be accepted in lieu of payment of money.

option of the said foreign governments to accept the same, or insist on the payment of the indemnity in money, under the conditions above stipulated.

When to be
ratified.

IV. This Convention to be formally ratified by the Tycoon's government within fifteen days from the date thereof.

Execution.

In token of which, the respective plenipotentiaries have signed and sealed this Convention, in quintuplicate, with English, Dutch, and Japanese versions, whereof the English shall be considered the original.

Done at Yokohama, this 22d day of October, 1864, corresponding to the 22d day of the ninth month of the first year of Gengi.

ROBERT H. PRUYN,

Minister Resident of the United States in Japan.

RUTHERFORD ALCOCK,

H. B. M's Envoy Extraordinary

and Minister Plenipotentiary in Japan.

LEON-ROCHES,

Ministre Plenipotentiaire de S. M. L'Empereur

des Francais au Japan.

D. DE GRAEFF VAN POLSBROEK,

H. N. M's Consul-General and Political Agent in Japan.

(Signature of Sakai Hida no Kami.)

Ratification.

And whereas the said Convention has been duly ratified by the respective governments:—

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this ninth day of April, in the year of our Lord one thousand eight hundred and sixty-six,

[L. s.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Omaha Tribe of Indians ; Concluded March 6, 1865 ; Ratification advised February 13, 1866 ; Proclaimed February 15, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

March 6, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the sixth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between Clark W. Thompson and Robert W. Furnas, Commissioners, on the part of the United States, and E-sta-mah-zha, or Joseph La Flesche, Gra-ta-mah-zhe, or Standing Hawk, Ga-he-ga-zhin-ga, or Little Chief, Tah-wah-ga-ha, or Village Maker, Wah-no-ke-ga, or Noise, Sha-da-na-ge, or Yellow Smoke, Wastch-com-ma-nu, or Hard Walker, Pad-a-ga-he, or Fire Chief, Ta-su, or White Cow, and Ma-ha-nin-ga, or No Knife, Chiefs of the Omaha Tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit :

Preamble.

ARTICLES OF TREATY made and concluded at Washington, D. C., on the sixth day of March, A. D. 1865, between the United States of America, by their Commissioners, Clark W. Thompson and Robert W. Furnas, and the Omaha tribe of Indians, by their chiefs, E-sta-mah-za, or Joseph La Flesche ; Gra-ta-mah-zhe, or Standing Hawk ; Ga-he-ga-zhin-ga, or Little Chief ; Tah-wah-gah-ha, or Village Maker ; Wah-no-ke-ga, or Noise ; Sha-da-na-ge, or Yellow Smoke ; Wastch-com-ma-nu, or Hard Walker ; Pad-a-ga-he, or Fire Chief ; Ta-su, or White Cow ; Ma-ha-nin-ga, or No Knife.

Contracting parties.

ARTICLE I. The Omaha tribe of Indians do hereby cede, sell, and convey to the United States a tract of land from the north side of their present reservation, defined and bounded as follows, viz : commencing at a point on the Missouri river four miles due south from the north boundary line of said reservation, thence west ten miles, thence south four miles, thence west to the western boundary line of the reservation, thence north to the northern boundary line, thence east to the Missouri river, and thence south along the river to the place of beginning ; and that the said Omaha tribe of Indians will vacate and give possession of the lands ceded by this treaty immediately after its ratification : *Provided*, That nothing herein contained shall be construed to include any of the lands upon which the said Omaha tribe of Indians have now improvements, or any land or improvements belonging to, connected with, or used for the benefit of the Missouri school now in existence upon the Omaha reservation.

Cession of land to the United States.

Boundaries.

Proviso.

ARTICLE II. In consideration of the foregoing cession, the United States agree to pay to the said Omaha tribe of Indians the sum of fifty thousand dollars, to be paid upon the ratification of this treaty, and to be expended by their agent, under the direction of the Commissioner of Indian Affairs, for goods, provisions, cattle, horses, construction of buildings, farming implements, breaking up lands, and other improvements on their reservation.

Payment to the Omahas, and how to be expended.

Article of
former treaty to
be extended.
Vol. x. p. 1045.

Damages.

Present reser-
vation to be di-
vided among
members of the
tribe in sever-
alty.

How assigned.

Agency.

Omaha reser-
vation.

Whites not to
go or reside
thereon, unless,
&c.

Certificates to
be issued for
tracts assigned.

Not to be
alienated nor
leased, &c.

Omahas may
repurchase this
land, if the loca-
tion of the Win-
nebagos affects
their peace.

Execution.

ARTICLE III. In further consideration of the foregoing cession, the United States agree to extend the provisions of article VIII. of the treaty between the Omaha tribe of Indians and the United States, made on the 16th day of March, A. D. 1854, for a term of ten years from and after the ratification of this treaty; and the United States further agree to pay to the said Omaha tribe of Indians, upon the ratification of this treaty, the sum of seven thousand dollars as damages in consequence of the occupancy of a portion of the Omaha reservation not hereby ceded, and use and destruction of timber by the Winnebago tribe of Indians while temporarily residing thereon.

ARTICLE IV. The Omaha Indians being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof in severalty to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the remaining portion of their present reservation shall be set apart for said purposes; and that out of the same there shall be assigned to each head of a family not exceeding one hundred and sixty acres, and to each male person, eighteen years of age and upwards, without family, not exceeding forty acres of land—to include in every case, as far as practicable, a reasonable proportion of timber; six hundred and forty acres of said lands, embracing and surrounding the present agency improvements, shall also be set apart and appropriated to the occupancy and use of the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary. The whole of the lands, assigned or unassigned, in severalty, shall constitute and be known as the Omaha reservation, within and over which all laws passed or which may be passed by Congress regulating trade and intercourse with the Indian tribes shall have full force and effect, and no white person, except such as shall be in the employ of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the superintendent of Indian affairs or the agent for the tribe. Said division and assignment of lands to the Omahas in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him, shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants; and said tracts shall not be alienated in fee, leased, or otherwise disposed of except to the United States or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior, and they shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided for by Congress.

ARTICLE V. It being understood that the object of the Government in purchasing the land herein described is for the purpose of locating the Winnebago tribe thereon, now, therefore, should their location there prove detrimental to the peace, quiet, and harmony of the whites as well as of the two tribes of Indians, then the Omahas shall have the privilege of re-purchasing the land herein ceded upon the same terms they now sell.

In testimony whereof, the said Clark W. Thompson and Robert W. Furnas, Commissioners as aforesaid, and the said chiefs and delegates of the Omaha tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

CLARK W. THOMPSON,
R. W. FURNAS,
Commissioners.

E-STA-MAH-ZHA, or Joseph La Flesche, his x mark.	[SEAL.]
GRA-TA-MAH-ZHE, or Standing Hawk, his x mark.	[SEAL.]
GA-HE-GA-ZHIN-GA, or Little Chief, his x mark.	[SEAL.]
TAH-WAH-GA-HA, or Village Maker, his x mark.	[SEAL.]
WAH-NO-KE-GA, or Noise, his x mark.	[SEAL.]
SHA-DA-NA-GE, or Yellow Smoke, his x mark.	[SEAL.]
WASTCH-COM-MA-NU, or Hard Walker, his x mark.	[SEAL.]
PAD-A-GA-HE, or Fire Chief, his x mark.	[SEAL.]
TA-SU, or White Cow, his x mark.	[SEAL.]
MA-HA-NIN-GA, or No Knife, his x mark.	[SEAL.]

In presence of—

H. CHASE, *U. S. Interpreter.*
 LEWIS SAUNSOI, *Interpreter.*
 ST. A. D. BALCOMBE, *U. S. Indian Agent.*
 GEO. N. PROPPER.
 J. N. H. PATRICK.

And whereas the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of February, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 February 13, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the Treaty between the United States of America, by their Commissioners, Clark W. Thompson and Robert W. Furnas, and the Omaha tribe of Indians, made and concluded at Washington, D. C., on the sixth day of March, A. D. 1865.

Ratification.

Attest:

J. W. FORNEY, *Secretary.*

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the thirteenth of February, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty.

Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the City of Washington, this fifteenth day of February,

in the year of our Lord one thousand eight hundred and
 [L. s.] sixty-six, and of the Independence of the United States of
 America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Winnebago Tribe of Indians; Concluded March 8, 1865; Ratification advised, with Amendment, February 13, 1866; Amendment accepted February 20, 1866; Proclaimed March 28, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

March 8, 1865.

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the eighth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between William P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners, on the part of the United States, and Little Hill, Little Dacoria, Whirling Thunder, Young Prophet, Good Thunder, Young Crane, and White Breast, Chiefs of the Winnebago Tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit :—

Preamble.

ARTICLES OF TREATY made and concluded at Washington, D. C., between the United States of America, by their Commissioners, Wm. P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago Tribe of Indians, by their chiefs Little Hill, Little Dacoria, Whirling Thunder, Young Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865.

Contracting parties.

ARTICLE I. The Winnebago tribe of Indians hereby cede, sell, and convey to the United States all their right, title, and interest in and to their present reservation in the Territory of Dakota, at Usher's Landing, on the Missouri river, the metes and bounds whereof being on file in the Indian Department.

Cession of lands to the United States.

ARTICLE II. In consideration of the foregoing cession, and the valuable improvements thereon, the United States agree to set apart for the occupation and future home of the Winnebago Indians, forever, all that certain tract or parcel of land ceded to the United States by the Omaha tribe of Indians on the sixth day of March, A. D. 1865, situated in the Territory of Nebraska, and described as follows, viz: Commencing at a point on the Missouri river four miles due south from the north boundary line of said reservation; thence west ten miles; thence south four miles; thence west to the western boundary line of the reservation; thence north to the northern boundary line; thence east to the Missouri river; and thence south along the river to the place of beginning.

Reservation for the Winnebagos.

Boundaries.

ARTICLE III. In further consideration of the foregoing cession, and in order that the Winnebagos may be as well situated as they were when they were moved from Minnesota, the United States agree to erect on their reservation, hereby set apart, a good steam saw-mill with a grist-mill attached, and to break and fence one hundred acres of land for each band, and supply them with seed, to sow and plant the same, and shall furnish them with two thousand dollars' worth of guns, sixty horses, one hundred cows, twenty yoke of oxen and wagons, two chains each, and five hundred dollars' worth of agricultural implements, in addition to those on the reserve hereby ceded.

The United States to erect mills, to break, &c. lands, to furnish seeds, tools, &c.
Amendment.
Post. p. 18.

Agency and
other buildings
and houses for
chiefs.

ARTICLE IV. The United States further agree to erect on said reservation an agency building, school-house, warehouse, and suitable buildings for the physician, interpreter, miller, engineer, carpenter, and blacksmith, and a house 18 by 24 feet, one and a half story high, well shingled and substantially finished, for each chief.

Expenses of
removal, &c.

ARTICLE V. The United States also stipulate and agree to remove the Winnebago Tribe of Indians and their property to their new home, and to subsist the tribe one year after their arrival there.

In testimony whereof, the said Wm. P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners as aforesaid, and the undersigned chiefs and delegates of the Winnebago Tribe of Indians, have hereunto set their hands and seals, at the place and on the day hereinbefore written.

W. P. DOLE,
CLARK W. THOMPSON,
St. A. D. BALCOMBE,
Commissioners.

LITTLE HILL, his x mark.	[SEAL.]
LITTLE DACORIA, his x mark.	[SEAL.]
WHIRLING THUNDER, his x mark.	[SEAL.]
YOUNG PROPHET, his x mark,	[SEAL.]
GOOD THUNDER, his x mark,	[SEAL.]
YOUNG CRANE, his x mark,	[SEAL.]
WHITE BREAST, his x mark,	[SEAL.]

In presence of—

MITCHELL ST. CYR, *United State[s] Interpreter.*
ALEXANDER PAYN, “ “ “
R. W. FURNAS, *U. S. Agt. for Omahas.*
BENJ. F. LUSHBAUGH, *U. S. Indian Agent.*
AUGUSTUS KOUNTZE.
C. HAZLETT.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of February, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
February 13, 1866.

Ratification
with amend-
ment.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Washington, D. C., between the United States of America, by their Commissioners, William P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago Tribe of Indians, by their chiefs Little Hill, Little *Decorice*, [Dacoria,] Whirling Thunder, *Yound* [Young] Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865, with the following

AMENDMENT:

See *Ante*, p. 17.

Article 3d, line 7, strike out the word “sixty,” and insert the words *four hundred.*

Attest:

J. W. FORNEY, *Secretary.*

And whereas information of the foregoing amendment having been given to the Chiefs of the Winnebago Tribe of Indians whose names are subscribed to the writing hereto following, they did, on the twentieth day of February, one thousand eight hundred and sixty-six, give their free

and voluntary assent to said amendment in the words and figures following, to wit:—

OMAHA INDIAN AGENCY, NEBRASKA TERRITORY,
February 20, 1866.

Amendment
accepted.

Be it known that we, the chiefs of the Winnebago Tribe of Indians, in council assembled, being informed by Superintendent E. B. Taylor, through acting agent R. W. Furnas, that the treaty entered into by our chiefs and legal representatives, on our part, and the United States, by Commissioners, on *its* [their] part, in March, 1865, has been so amended as to provide for four hundred head of horses instead of sixty head, as originally stipulated, we hereby agree to said amendment, and consent to its being made a part of the original Treaty.

In testimony whereof we have hereto set our hands and seals the day and year above written.

LITTLE HILL, his x mark.	[SEAL.]
GOOD HEART, his x mark.	[SEAL.]
GOOD THUNDER, his x mark.	[SEAL.]
THOMAS JEFFERSON, his x mark.	[SEAL.]
COO-NA-HUT-TA-KA, his x mark.	[SEAL.]
YOUNG FRENCH, his x mark.	[SEAL.]
OLD ROGUE, his x mark.	[SEAL.]
WHIRLING THUNDER, his x mark.	[SEAL.]
YOUNG PROPHET, his x mark.	[SEAL.]
LITTLE DECORA, his x mark.	[SEAL.]
BIG BEAR, his x mark.	[SEAL.]

Signed in presence of—

R. W. FURNAS, *U. S. Ind. Ag't.*

FRANK THEBALT, *Interpreter.*

ALEX. PAYN, “

MERSHALL ST. SCYR, “

ROBERT TEARE, *Citizen.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the thirteenth of February, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this twenty-eighth day of March, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Woll-pah-pe Tribe of Snake Indians; Concluded August 12, 1865; Ratification advised July 5, 1866; Proclaimed July 10, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

August 12, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at Sprague River Valley, on the twelfth day of August, in the year of our Lord one thousand eight hundred and sixty-five, by and between J. W. Perit Huntington, Commissioner, on the part of the United States, and Pah-ni-ne, Hau-ni-noo-ey, and other chiefs and headmen, on the part of the Woll-pah-pe tribe of Snake Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF AGREEMENT AND CONVENTION made and concluded at Sprague River Valley, on this twelfth day of August, in the year one thousand eight hundred and sixty-five, by J. W. Perit Huntington, superintendent of Indian affairs in Oregon, on the part of the United States, and the undersigned chiefs and headmen of the Woll-pah-pe tribe of Snake Indians, acting in behalf of said tribe, being duly authorized so to do.

Contracting parties.

ARTICLE I. Peace is declared henceforth between the United States and the Woll-pah-pe tribe of Snake Indians, and also between said tribe and all other tribes in amity with the United States. All prisoners and slaves held by the Woll-pah-pe tribe, whether the same are white persons or members of Indian tribes in amity with the United States, shall be released; and all persons belonging to the said Woll-pah-pe tribe now held as prisoners by whites, or as slaves by other Indian tribes, shall be given up.

Peace.

Prisoners and slaves.

ARTICLE II. The said tribe hereby cedes and relinquishes to the United States all their right, title, and interest to the country occupied by them, described as follows, to wit: Beginning at the Snow Peak in the summit of the Blue Mountain range, near the heads of the Grande Ronde river and the north fork of John Day's river; thence down said north fork of John Day's river to its junction with the south fork; thence due south to Crooked river; thence up Crooked river and the south fork thereof to its source; thence southeasterly to Harney lake; thence northerly to the heads of Malheur and Burnt rivers; thence continuing northerly to the place of beginning.

Cession of lands to the United States.
Boundaries.

ARTICLE III. The said tribe agree to remove forthwith to the reservation designated by the treaty concluded on the 15th of October, 1864, with the Klamath, Moadoc, and Yahooskiu Snake Indians, there to remain under the authority and protection of such Indian agent, or other officer, as the government of the United States may assign to such duty, and no member of said tribe shall leave said reservation for any purpose without the written consent of the agent or superintendent having jurisdiction over said tribe.

Indians to remove to reservation.

ARTICLE IV. The said Woll-pah-pe tribe promise to be friendly with the people of the United States, to submit to the authority thereof, and to commit no depredations upon the persons or property of citizens thereof,

to submit to the United States, and not depredate.

Offenders to be
given up, &c.

Wrongs upon
the Indians, how
redressed.

Hostile tribes.
Sale of arms,
&c.

Fencing, and
cultivating
lands.

Seeds, tools,
&c.

Beneficial
expenditures.

Physician.
Mechanics, &c.
Mills and
school-houses.

Interpreter.

Possession of
ardent spirits on
reservation, how
punished.

Treaty, when
to be obligatory.

Execution.

or of other Indian tribes; and should any member of said tribe commit any such depredations, he shall be delivered up to the agent for punishment, and the property restored. If after due notice the tribe neglect or refuse to make restitution, or the property is injured or destroyed, compensation may be made by the government out of the annuities hereinafter provided. In case of any depredation being committed upon the person or property of any member of the aforesaid Woll-pah-pe tribe, it is stipulated that no attempt at revenge, retaliation, or reclamation shall be made by said tribe; but the case shall be reported to the agent or superintendent in charge, and the United States guarantee that such depredation shall be punished in the same manner as if committed against white persons, and that the property shall be restored to the owner.

ARTICLE V. The said tribe promise to endeavor to induce the Hoo-ne-booyey and Wa-tat-kah tribes of Snake Indians to cease hostilities against the whites; and they also agree that they will, in no case, sell any arms or ammunition to them nor to any other tribe hostile to the United States.

ARTICLE VI. The United States agree to expend, for the use and benefit of said tribe, the sum of five thousand dollars to enable the Indians to fence, break up, and cultivate a sufficient quantity of land for their use, to supply them with seeds, farming implements, domestic animals, and such subsistence as may be necessary during the first year of their residence upon the reservation.

ARTICLE VII. The United States also agree to expend, for the use and benefit of said tribe, the sum of two thousand dollars per annum for five years next succeeding the ratification of this treaty, and twelve hundred dollars per annum for the next ten years following, the same to be expended under the direction of the President of the United States for such objects as, in his judgment, will be beneficial to the Indians, and advance them in morals and knowledge of civilization.

ARTICLE VIII. The said tribe, after their removal to the reservation, are to have the benefit of the services of the physician, mechanics, farmers, teachers, and other employes provided for in the treaty of the 15th October, 1864, in common with the Klamaths, Moadocs, and Yahooskiu Snakes, and are also to have the use of the mills and school-houses provided for in said treaty, so far as may be necessary to them, and not to the disadvantage of the other tribes; and, in addition, an interpreter who understands the Snake language shall be provided by the government. Whenever, in the judgment of the President, the proper time shall have arrived for an allotment of land in severalty to the Indians upon the said reservation, a suitable tract shall be set apart for each family of the said Woll-pah-pe tribe, and peaceable possession of the same is guaranteed to them.

ARTICLE IX. The tribe are desirous of preventing the use of ardent spirits among themselves, and it is therefore provided that any Indian who brings liquor on to the reservation, or who has it in his possession, may in addition to the penalties affixed by law, have his or her proportion of the annuities withheld for such time as the President may determine.

ARTICLE X. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the Senate of the United States.

In testimony whereof, the said J. W. Perit Huntington, superintendent of Indian affairs, and the undersigned chiefs and headmen of the tribe aforesaid, have hereunto set their signatures and seals, at the place and on the day and year above written.

J. W. PERIT HUNTINGTON,

Supt. Indian Affairs in Oregon.

PAH-NI-NE,

his x mark.

[SEAL.]
[SEAL.]

HAU-NI-NOO-EY,	his x mark.	[SEAL.]
KI-NAU-NEY,	his x mark.	[SEAL.]
WA-AK-CHAU,	his x mark.	[SEAL.]
CHOK-KO-SI,	his x mark.	[SEAL.]
SHE-ZHE,	his x mark.	[SEAL.]
CHE-EM-MA,	his x mark.	[SEAL.]
NOW-HOOP-A-COW-ICK,	his x mark.	[SEAL.]
KI-PO-WEET-KA,	his x mark.	[SEAL.]
HAU-NE, or SHAS-TOOK,	his x mark.	[SEAL.]
SAH-TOO-TOO-WE,	his x mark.	[SEAL.]

Executed in our presence —

W. V. RINEHART, *Maj. 1st Oregon Inf'y.*

WM. KELLY, *Capt. 1st Cav., Oregon Vols.*

LINDSAY APPLGATE.

WM. C. MCKAY, M. D., *Act'g Interpreter.*

ALBERT APPLGATE, *2d Lieut, 1st Ogn. Inf., comdg. escort.*

F. B. CHASE.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

Ratification.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 5, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded at Sprague River Valley, on the twelfth day of August, in the year one thousand eight hundred and sixty-five, by J. W. Perit Huntington, superintendent of Indian affairs in Oregon, on the part of the United States, and the chiefs and headmen of the Woll-pah-pe tribe of Snake Indians, acting in behalf of said tribe.

Attest:

J. W. FORNEY, *Secretary.*

By W. J. McDONALD, *Chief Clerk.*

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

Proclaimed.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this tenth day of July, in the year of our Lord one thousand eight hundred and sixty-six,

[SEAL.] and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Minneconjon Band of Dakota or Sioux Indians; Concluded October 10, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : Oct. 10, 1865.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the tenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Hah-wah-zee-dan, (The Lone Horn,) Tah-ke-chah-hoosh-tay, (The Lame Deer,) and other chiefs and headmen of the Minneconjon band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory; Edward B. Taylor, superintendent of Indian affairs for the northern superintendency; Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Minneconjon band of Dakota or Sioux Indians.

Contracting parties

ARTICLE I. The Minneconjon band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Jurisdiction and authority of the United States acknowledged, &c.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Minneconjon band of Dakotas or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Minneconjon band of Dakotas or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted to the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Controversies between the tribes to be submitted to the President for arbitrament, &c.

Indians to
withdraw from
overland routes.

Amendment.
Post. p. 27.

Payment to
the Indians.
Proviso.

Individual In-
dians locating on
lands to be pro-
tected.

Amendments
to be binding.

Execution.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay the said band the sum of ten thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

ARTICLE V. Should any individual, or individuals, or portion of the band of the Minneconjon band of Dakotas or Sioux, represented in council, desire hereafter to locate permanently upon any part of the lands claimed by the said band, for the purpose [of] agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Minneconjon band of Dakota or Sioux, have hereunto set their hands, this tenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
H. H. SIBLEY, *Brigadier-General*.
HENRY W. REED,
ORRIN GUERNSEY,

Commissioners on the part of the United States.

HA-WAH-ZEE-DAN, The Lone Horn, his x mark, *1st chief*.
TAH-KE-CHAH-HOOSH-TAY, The Lame Deer, his x mark,
1st chief.
KEE-YAM-E-I-A, One that flies when going, his mark, *chief*.
HA-IL-O-KAH-CHAH-SKAH, White Young Bull, his x mark,
chief.
KE-YAR-CUM-PEE, Give him Room, his x mark, *chief*.
HA-HAR-SKAH-KAH, Long Horn, his x mark, *chief*.
HE-HAN-WE-CHAK-CHAH, The Old Owl, his x mark, *chief*.
WAH-CHEE-HA-SKAH, White Feather, his x mark, *chief*.
TAH-TON-KAH-WAK-KANTO, The High Bull, his x mark,
soldier.
MAH-TO-CHAT-KAH, The Left-handed Bear, his x mark,
soldier.
CHAN-WAH-PA, The Tree in Leaf, his x mark, *soldier*.
TO-KALLA-DOO-TAH, The Red Fox, his x mark, *soldier*.
CHA-TAN-SAPPAH, The Black Hawk, his x mark, *soldier*.
MUCK-A-PEE-AH-TO, The Blue Cloud, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence:

A. W. HUBBARD, *M. C. 6th dist. Iowa*.
S. S. CURTIS, *Maj. 2d Colorado Cav. Bvt. Lt. Col. U. S. V.*

CHAS. C. G. THORNTON, *Lt. Col. 4th U. S. Vols.*
 E. F. RUTH, *Sec'y of Commission.*
 R. R. HITT, *Reporter of Com'n.*
 THOS. D. MAURICE, *Late Maj. 1st Mo. Lt. Art'y.*
 W. MOTT, *Capt. and C. S.*
 ZEPHIER RENCONTRE, his x mark, *Interpreter.*
 CHARLES DEGRES, his x mark, “

The following chiefs came into council on the 20th Oct. and desired to sign the treaty. They are represented as always friendly to the whites, and have, therefore, been away from most of the tribe.

HAH-SAH-NE-NA-MAZA, One Iron Horse, his x mark.

TO-KIO-WI-CHACK-A-TA, The One that Kills the First on Hand, his x mark.

ATTEST:

S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*
 HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
 CHARLES DEGRES, his x mark.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 March 5th, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States, by their Commissioners, and the chiefs and headmen of the Minneconjon band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

Ratification
with amend-
ment.

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz: “and of their non-interference with the persons and property of citizens of the United States travelling thereon.” See *Ante*, p. 26.

Attest:

J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:—

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof, I have signed the same with my hand and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March,
 in the year of our Lord one thousand eight hundred and
 [L. s.] sixty-six, and of the Independence of the United States of
 America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Lower Brulé Band of Dakota or Sioux Indians; Concluded October 14, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : Oct. 14, 1865.

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Muz-zah-wy-ah-tay, (The Iron Nation,) Tah-ton-kah-wak-kon, (Medicine Ball,) and other chiefs and headmen of the Lower Brulé band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit: —

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Lower Brulé band of Dakota or Sioux Indians.

Contracting parties.

ARTICLE I. The Lower Brulé band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government of the United States or its people.

Jurisdiction and authority of the United States acknowledged

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Lower Brulé band of Dakotas or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Lower Brulé band of Dakotas or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as

Controversies between the tribes to be submitted to the President for arbitrament, &c.

may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Indians to withdraw from overland routes. Amendment. *Post*, p. 32.

Payment.

Proviso.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of six thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual, or individuals, or portion of the Lower Brulé band of Dakotas, or Sioux, represented in council, desire hereafter to locate permanently upon any part of the lands claimed by the said band, for the purpose of agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians.

Reservation for Lower Brulés.

Boundaries.

Payments for agricultural, &c. purposes.

Stock, &c., to be the property of the United States.

Blacksmith and farmer. Roads.

Whites not to go, &c., thereon.

Schools.

Two Kettles band may be located adjoining to the Brulés.

Amendments to be binding.

Execution.

ARTICLE VI. It is hereby agreed upon the part of the government of the United States, that the said band of Lower Brulés shall locate on a permanent reservation at or near the mouth of the White river, to include Fort Lookout, twenty miles in a straight line along the Missouri river, and ten miles in depth; and that upon the actual occupation of not less than fifty lodges or families of said reservation, and their engaging permanently in agricultural and other kindred pursuits, the government of the United States agree to furnish at its own cost the sum of twenty-five dollars for each and every lodge or family so engaged, as a common fund, to be expended in stock, agricultural and other implements and general improvements as shall be directed by the Secretary of the Interior; the said sum to be furnished annually for five years. It being understood that the said stock, agricultural and other implements shall be and remain the property of the United States, to be used and employed for the exclusive benefit of the lodges or families so located, and in no case to be sold or alienated by the said band or any member thereof; and the United States further engage to employ at its own cost a blacksmith and farmer for the benefit of the said lodges or families.

The United States reserve the right to construct a road or roads through the said reservation.

No white person, other than officers, agents or employés of the United States, shall be permitted to go on or remain on the said reservation, unless previously admitted as a member of the said band according to their usages.

Whenever the Secretary of the Interior may so direct, schools for the instruction of the said band may be opened on the said reservation.

ARTICLE VII. The undersigned chiefs of the Brulés, hereby further agree that should the Two Kettles band of the Dakota or Sioux Indians be located adjoining them, they will cheerfully allow them to do so, and also agree that the employés secured to the Brulés may be used also for the joint benefit of the said Two Kettles, at the discretion of the government.

ARTICLE VIII. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Lower Brulé band of Dakota or Sioux, have hereunto set their hands, this fourteenth day of October, one thousand eight hundred and sixty-five, after the contents

had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Major-General*,
H. H. SIBLEY, *Brigadier-General*,
HENRY W. REED,
ORRIN GUERNSEY,

Commissioners on the part of the United States.

Chiefs.

MUZ-ZAH-WY-AH-TAY, The Iron Nation,	his x mark.
TAH-TON-KAH-WAK-KON, Medicine Ball,	his x mark.
PTA-SON-WE-CHAK-TAY, The One who Killed the White Buffalo Cow,	his x mark.
SHE-O-TCHE-KAH, Little Pheasant,	his x mark.
PTA-SAN-MAN-NEE, White Buffalo Cow that walks,	his x mark.
CHON-TAY-O-KIT-E-KAH, The Brave Heart,	his x mark.
TAH-O-PEE, The Wounded Man,	his x mark.
WAG-AH-MO-AH-WIN, The Gourd Ear Rings,	his x mark.
E-CHAP-SIN-TA-MUZ-ZAH, The Iron Whip,	his x mark.

Chief Soldiers.

ZE-TE-KAH-DAN-SAP-PAH, The Blackbird,	his x mark
WAH-HAH-CHUNKI-E-UN-KA, The Shield that Runs,	his x mark.
MUCK-A-PEE-E-CHASH-NAH, The Cloud that Rattles,	his x mark.
IS-TO-O-PEE, The Wounded Arm,	his x mark.
MIN-DO-TON-KAH-CHE-KAH, The Little Par- tisan,	his x mark.
WAH-MIN-DEE-SHON-TON-KAH, The War Eagle with Large Feathers,	his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence :—

A. W. HUBBARD, *M. C. 6th dist. Iowa.*
S. S. CURTIS, *Maj. 2d Colorado Cav., Bvt. Lt. Col.*
W. S. WOODS, *Surgeon U. S. Vols.*
E. F. RUTH, *Sec'y to Commission.*
R. R. HITT, *Rep'r of Com'n.*
ZEPHIER RECONTRE, his x mark, *Interpreter.*
CHARLES DEGRE, his x mark, “

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit :—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States of America, by their Commissioners, and the chiefs and

Ratified with
amendment.

headmen of the Lower Brulé band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT :

See *Ante*, p. 30. Article IV., lines 3, 4, and 5, strike out the following words, viz :
 “and of their no[n]-interference with the persons and property of citizens of the United States travelling thereon.”

Attest :

J. W. FORNEY, *Secretary*.

And whereas article eighth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band : —

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof, I have signed the same with my hand and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March,
 in the year of our Lord one thousand eight hundred and
 [L. s.] sixty-six, and of the Independence of the United States of
 America the ninetieth.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD, *Secretary of State*.

Treaty between the United States of America and the Apache, Cheyenne, and Arrapahoe Tribes of Indians; Concluded October 17, 1865; Ratification advised May 22, 1866; Proclaimed May 26, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 17, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS a treaty was made and concluded at the council-ground on the Little Arkansas river, in the State of Kansas, on the seventeenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, James Steele, William W. Bent, Kit Carson, Thomas Murphy, and J. H. Leavenworth, Commissioners, on the part of the United States, and Kou-zhon-ta-co, (Poor Bear,) Ba-zhe-ech, (Iron Shirt,) and other chiefs and headmen, on the part of the Apache tribe of Indians, Moke-ta-ve-to, (Black Kettle,) Oh-to-ah-ne-so-to-wheo, (Seven Bulls,) and other chiefs and headmen, on the part of the Cheyenne tribe of Indians, and Oh-has-tee, (Little Raven,) Oh-hah-mah-hah, (Storm,) and other chiefs and headmen, on the part of the Arrapahoe tribe of Indians, all of which chiefs and headmen were duly authorized thereto by their respective tribes, which treaty is in the words and figures following, to wit:—

Preamble.

Whereas a treaty was made and concluded, by and between the undersigned Commissioners on the part of the United States, and the undersigned chiefs and headmen of the Cheyenne and Arrapahoe tribes of Indians, on the part of said tribes, on the fourteenth day of October, A. D. 1865, at the council-grounds on the Little Arkansas river, in the State of Kansas; and whereas the Apache Indians, who have been heretofore confederated with the Kiowa and Camanche tribes of Indians, are desirous of dissolving said confederation and uniting their fortunes with the said Cheyennes and Arrapahoes; and whereas the said last-named tribes are willing to receive among themselves on an equal footing with the members of their own tribes, the said Apache Indians; and the United States, by their said Commissioners, having given their assent thereto; it is therefore hereby agreed by and between the United States, by their said Commissioners, and the said Cheyenne, Arrapahoe, and Apache Indians, by the undersigned chiefs and headmen of said tribes respectively, as follows, viz:—

Contracting parties.

ARTICLE I. The said Cheyenne, Arrapahoe, and Apache tribes henceforth shall be and they are hereby united, and the United States will hereafter recognize said tribes as the confederated bands or tribes of Cheyenne, Arrapahoe, and Apache Indians.

Cheyenne, Arrapahoe, and Apache tribes are united and recognized as confederated tribes by the United States.

ARTICLE II. The several terms, stipulations and agreements to be done and performed on the part of the United States for and with the said Cheyenne and Arrapahoe tribes of Indians, and by the said Cheyenne and Arrapahoe tribes of Indians, for and with the United States, by the provisions of said treaty of October 14th, A. D. 1865, shall be done and performed by the United States for and on behalf of the said confederated tribes or bands of Cheyenne, Arrapahoe, and Apache Indians, and on

Stipulation of former treaty to be binding upon the parties hereto.

their part shall be done, observed and performed to, with and for the United States in the same manner, to the same extent, and for like objects, to all intents and purposes, as would have been the case had said treaty been originally made and executed with the said confederated tribes of Cheyenne, Arrapahoe, and Apache Indians.

Execution.

In testimony whereof, the undersigned, Commissioners on the part of the United States, and the chiefs and headmen of said tribes, have hereunto set their hands and seals at the council-ground on the Little Arkansas, in the State of Kansas, this 17th day of October, A. D. 1865.

JOHN B. SANBORN,	[SEAL.]
WM. S. HARNEY,	[SEAL.]
JAMES STEELE,	[SEAL.]
WM. W. BENT,	[SEAL.]
KIT CARSON,	[SEAL.]
THOS. MURPHY,	[SEAL.]
J. H. LEAVENWORTH,	[SEAL.]

Commissioners on the part of the United States.

KOU-ZHON-TA-CO, or Poor Bear, head chief,	his x mark.	[SEAL.]
BA-ZHE-ECH, or Iron Shirt, chief,	his x mark.	[SEAL.]
AZ-CHE-OM-A-TE-NE, or the Old Fool Man, chief,	his x mark.	[SEAL.]
KARN-TIN-TA, or The Crow, chief,	his x mark.	[SEAL.]
MAH-VIP-PAH, or The Wolf Sleeve, chief,	his x mark.	[SEAL.]
NAHN-TAN, or The Chief,	his x mark.	[SEAL.]

On the part of the Apaches.

MOKE-TA-VE-TO, or Black Kettle, head chief,	his x mark.	[SEAL.]
OH-TO-AH-NE-SO-TO-WHEO, or Seven Bulls, chief,	his x mark.	[SEAL.]
HARK-KAH-O-ME, or Little Robe, chief,	his x mark.	[SEAL.]
MOKE-TAH-VO-VE-HO, or Black White Man, chief,	his x mark.	[SEAL.]
MUN-A-MEN-EK, or Eagle's Head, headman,	his x mark.	[SEAL.]
O-TO-AH-NIS-TO, or Bull that Hears, headman,	his x mark.	[SEAL.]

On the part of the Cheyennes.

OH-HAS-TEE, or Little Raven, head chief,	his x mark.	[SEAL.]
OH-HAH-MAH-HAH, or Storm, chief,	his x mark.	[SEAL.]
PAH-UF-PAH-TOP, or Big Mouth, chief,	his x mark.	[SEAL.]
AH-CRA-KA-TAU-NAH, or Spotted Wolf, chief,	his x mark.	[SEAL.]
AH-NAH-WAT-TAU, or Black Man, headman,	his x mark.	[SEAL.]
NAH-A-NAH-CHA, Chief in Everything, headman,	his x mark.	[SEAL.]
CHI-E-NUK, or Haversack, headman,	his x mark.	[SEAL.]

On the part of the Arrapahoes.

Signed and sealed in presence of —

W. R. IRWIN, *Secretary*.

D. C. McNEIL.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:— Ratification.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States, by their Commissioners, and the chiefs and headmen of the Apaches and Cheyennes and Ar[r]apahoes, respectively, made and concluded at the council-ground on the Little Arkansas, in the State of Kansas, on the 17th of October, 1865.

Attest:

J. W. FORNEY, *Secretary*.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty. Proclaimed.

In testimony whereof I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-sixth day of May, in the year of our Lord one thousand eight hundred
[SEAL.] and sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

Treaty between the United States of America and the Camanche and Kiowa Tribes of Indians ; Concluded October 18, 1865 ; Ratification advised, May 22, 1866 ; Proclaimed May 26, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 18, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the council-ground on the little Arkansas river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Kit Carson, William W. Bent, James Steele, Thomas Murphy, and J. H. Leavenworth, Commissioners, on the part of the United States, and Tab-e-nan-i-kah, (Rising Sun,) Esh-e-tave-pa-rah, (Female Infant,) and other chiefs and headmen, on the part of the Camanche bands of Indians, and Queil-park, (Lone Wolf,) Wah-toh-konk, (Black Eagle,) and other chiefs and headmen, on the part of the Kiowa tribe of Indians, all of which chiefs and headmen were duly authorized thereto by their respective bands and tribes, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF A TREATY made and concluded at the council-ground on the Little Arkansas river eight miles from the mouth of said river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Thomas Murphy, Kit Carson, William W. Bent, Jesse H. Leavenworth, and James Steele, Commissioners on the part of the United States, and the undersigned chiefs and headmen of the several bands of Camanche Indians specified in connection with their signatures, and the chiefs and headmen of the Kiowa tribe of Indians, the said chiefs and headmen by the said bands and tribes being thereunto duly authorized.

Contracting parties.

ARTICLE I. It is agreed by the parties to this treaty that hereafter perpetual peace shall be maintained between the people and government of the United States and the Indians parties hereto, and that the Indians parties hereto shall forever remain at peace with each other and with all other Indians who sustain friendly relations with the government of the United States.

Perpetual peace.

For the purpose of enforcing the provisions of this article, it is agreed that in case hostile acts or depredations are committed by the people of the United States, or by the Indians on friendly terms with the United States, against the tribe or tribes or the individual members of the tribe or tribes who are parties to this treaty, such hostile acts or depredations shall not be redressed by a resort to arms, but the party or parties aggrieved shall submit their complaints, through their agent, to the President of the United States, and thereupon an impartial arbitration shall be had under his direction, and the award thus made shall be binding on all parties interested, and the government of the United States will in good faith enforce the same.

Hostile acts to be settled by arbitration.

And the Indians parties hereto, on their part, agree, in case crimes or

38 TREATY WITH THE CAMANCHES AND KIOWAYS. OCTOBER 18, 1865.

Members of
tribe committing
crimes to be sur-
rendered.

other violations of law shall be committed by any person or persons members of their tribe, such person or persons shall, upon complaint being made in writing, to their agent, superintendent of Indian affairs, or to other proper authority, by the party injured, and verified by affidavit, be delivered to the person duly authorized to take such person or persons into custody, to the end that such person or persons may be punished according to the laws of the United States.

Reservation
for Indians who
are parties here-
to.

ARTICLE II. The United States hereby agree that the district of country embraced within the following limits, or such portion of the same as may hereafter from time to time be designated by the President of the United States for that purpose, viz: commencing at the northeast corner of New Mexico, thence south to the southeast corner of the same; thence northeastwardly to a point on main Red river opposite the mouth of the North Fork of said river; thence down said river to the 98th degree of west longitude; thence due north on said meridian to the Cimarone river; thence up said river to a point where the same crosses the southern boundary of the State of Kansas; thence along said southern boundary of Kansas to the southwest corner of said State; thence west to the place of beginning, shall be and is hereby set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as have heretofore resided within said limits, or as they may from time to time agree to admit among them, and that no white person except officers, agents, and employés of the government shall go upon or settle within the country embraced within said limits, unless formally admitted and incorporated into some one of the tribes lawfully residing there, according to its laws and usages. The Indians parties hereto on their part expressly agree to remove to and accept as their permanent home the country embraced within said limits, whenever directed so to do by the President of the United States, in accordance with the provisions of this treaty, and that they will not go from said country for hunting or other purposes without the consent in writing of their agent or other authorized person, specifying the purpose for which such leave is granted, and such written consent in all cases shall be borne with them upon their excursions, as evidence that they are rightfully away from their reservation, and shall be respected by all officers, employés, and citizens of the United States, as their sufficient safeguard and protection against injury or damage in person or property, by any and all persons whomsoever. It is further agreed by the Indians parties hereto that when absent from their reservation, they will refrain from the commission of any depredations or injuries to the person or property of all persons sustaining friendly relations with the government of the United States; that they will not while so absent encamp, by day or night, within ten miles of any of the main travelled routes or roads through the country to which they go, or of the military posts, towns or villages therein, without the consent of the commanders of such military posts, or of the civil authorities of such towns or villages, and that henceforth they will and do hereby relinquish all claims or rights in and to any portion of the United States or territories, except such as is embraced within the limits aforesaid, and more especially their claims and rights in and to the country north of the Cimarone river and west of the eastern boundary of New Mexico.

Boundaries.

No whites, ex-
cept, &c. to set-
tle thereon, un-
less, &c.

Indians to re-
move thereto,
and not leave,
unless, &c.;

to refrain from
depredations;

not to encamp
within ten miles
of, &c.

Claims to other
lands relin-
quished.

Until removal
to reservation,
Indians to be
where.

ARTICLE III. It is further agreed that until the Indians parties hereto have removed to the reservation provided for by the preceding article, in pursuance of the stipulations thereof, said Indians shall be and they are hereby expressly permitted to reside upon and range at pleasure throughout the unsettled portions of that part of the country they claim as originally theirs, which lies south of the Arkansas river, as well as the country embraced within the limits of the reservation provided for by the preceding article, and that they shall and will not go elsewhere, except upon the terms and conditions prescribed by the preceding article in rela-

tion to leaving said reservation : *Provided*, That the provisions of the preceding article in regard to encamping within ten miles of main travelled routes, military posts, towns and villages, shall be in full force as to the privileges granted by this article : *And provided further*, That they, the said Indians, shall and will at all times, and without delay, report to the commander of the nearest military post the presence in or approach to said country of any hostile band or bands of Indians whatever.

Proviso.

Proviso.

ARTICLE IV. It is further agreed by the parties hereto that the United States may lay off and build through the reservation, provided for by article II. of this treaty, roads or highways as may be deemed necessary, and may also establish such military posts within the same as may be found necessary, in order to preserve peace among the Indians, and in order to enforce such laws, rules, and regulations as are now or may from time to time be prescribed by the President and Congress of the United States for the protection of the rights of persons and property among the Indians residing upon said reservation, and further, that in time of war such other military posts as may be considered essential to the general interests of the United States may be established : *Provided, however*, That upon the building of such roads, or establishment of such military posts, the amount of injury sustained by reason thereof by the Indians inhabiting said reservation shall be ascertained under direction of the President of the United States, and thereupon such compensation shall be made to said Indians as, in the judgment of the Congress of the United States, may be deemed just and proper.

United States may build roads through reservation, and establish military posts.

Damages therefor to be ascertained and paid.

ARTICLE V. The United States agree that they will expend annually, during the period of forty years, from and after the ratification of this treaty, for the benefit of the Indians who are parties hereto, and of such others as may unite with them in pursuance of the terms hereof, in such manner and for such purposes as, in the judgment of the Secretary of the Interior for the time being, will best subserve their wants and interests as a people, the following amounts, that is to say, until such time as said Indians shall be removed to their reservations, as provided for by article II. of this treaty, an amount which shall be equal to ten dollars per capita for each person entitled to participate in the beneficial provisions of this treaty ; and from and after the time when such removal shall have been accomplished, an amount which shall be equal to fifteen dollars per capita for each person entitled as aforesaid. Such proportion of the expenditure provided for by this article as may be considered expedient to distribute in the form of annuities shall be delivered to said Indians as follows, viz : one third thereof during the spring, and two thirds thereof during the autumn of each year.

Annuities for forty years.

Amount

When to be delivered.

For the purpose of determining from time to time the aggregate amount to be expended under the provisions of this article, it is agreed that the number entitled to its beneficial provisions the coming year is four thousand, and that an accurate census of the Indians entitled shall be taken at the time of the annuity payment in the spring of each year by their agent or other person designated by the Secretary of the Interior, which census shall be the basis on which the amount to be expended the next ensuing year shall be determined.

Present number of Indians.

Census to be taken annually.

ARTICLE VI. The Indians parties to this treaty expressly covenant and agree that they will use their utmost endeavors to induce that portion of the respective tribes not now present to unite with them and accede to the provisions of this treaty, which union and accession shall be evidenced and made binding on all parties whenever such absentees shall have participated in the beneficial provisions of this treaty.

Other portions of tribes to be urged to join in this treaty.

In testimony whereof, the said Commissioners on the part of the United States, and the chiefs and headmen of the said bands of Camanche Indians and of the Kiowa tribe of Indians, hereinbefore referred to, and designated in connection with their signatures, have hereunto subscribed their names and affixed their seals on the day and year first above written.

Execution.

JOHN B. SANBORN, [SEAL.]
 WM. S. HARNEY, [SEAL.]
 KIT CARSON, [SEAL.]
 WM. W. BENT, [SEAL.]
 JAMES STEELE, [SEAL.]
 THOS. MURPHY, [SEAL.]
 J. H. LEAVENWORTH, [SEAL.]

Commissioners on the part of the United States.

Signed and sealed in presence of—

W. R. IRWIN, *Secretary.*

WM. T. KITTRIDGE.

D. C. MCNEIL.

JAS. S. BOYD.

TAB-E-NAN-I-KAH, or Rising Sun, his x mark, [SEAL.]
 Chief of Yampirica, or Root Eater band of Camanches, for Paddy-wah-say-mer and Ho-to-yo-koh-wat's bands.

ESH-E-TAVE-PA-RAH, or Female Infant, his x mark, [SEAL.]
 Headman of Yampirica band of Camanches.

A-SHA-HAB-BEET, or Milky Way, his x mark, [SEAL.]
 Chief Penne-taha, or Sugar Eater band of Camanches, and for Co-che-te-ka, or Buffalo Eater band.

QUEEN-AH-E-VAH, or Eagle Drinking, his x mark, [SEAL.]
 Head chief of No-co-nee or Go-about band of Camanches.

TA-HA-YER-QUOIP, or Horse's Back, his x mark, [SEAL.]
 2d chief of No-co-nee or Go-about band of Camanches.

POCHA-NAW-QUOIP, or Buffalo Hump, his x mark [SEAL.]
 3d chief of Pennetaka, or Sugar Eater band of Camanches.

HO-TO-YO-KOH-WOT, or Over the Buttes, his x mark, [SEAL.]
 Chief of Yampirica band.

PARRY-WAH-SAY-MER, or Ten Bears, his x mark, [SEAL.]
 Chief of Yampirica band.

BO-YAH-WAH-TO-YEH-BE, or Iron Mountain,
 Chief of Yampirica band of Camanches, his x mark, [SEAL.]

BO-WAH-QUAS-SUH, or Iron Shirt, his x mark, [SEAL.]
 Chief of De-na-vi band, or Liver Eater band of Camanches.

TO-SA-WI, or Silver Brooch, his x mark, [SEAL.]
 Head Chief of Pennetaka band of Camanches.

QUEIL-PARK, or Lone Wolf, his x mark, [SEAL.]
 WAH-TOH-KONK, or Black Eagle, his x mark, [SEAL.]

ZIP-KI-YAH, or Big Bow, his x mark, [SEAL.]
 SA-TAN-TA, or White Bear, his x mark, [SEAL.]

TON-A-EN-KO, or Kicking Eagle, his x mark, [SEAL.]
 SETTEM-KA-YAH, or Bear Runs over a Man,

his x mark, [SEAL.]
 KAW-PE-AH, or Plumed Lance, his x mark, [SEAL.]

TO-HAU-SON, or Little Mountain, his x mark, [SEAL.]
 SA-TANK, or Sitting Bear, his x mark, [SEAL.]

PAWNEE, or Poor Man, his x mark, [SEAL.]
 TA-KI-BULL, or Stinking Saddle Cloth, his x mark, [SEAL.]

Chief of the Kiowa tribe.

Ratification.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
May 22, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at the council-ground on the Little Arkansas river, eight miles from the mouth of said river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between the Commissioners on the part of the United States, and the chiefs and headmen of the Kiowa tribe of Indians.

Attest:

J. W. FORNEY, *Secretary*.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty. Proclaimed.

In testimony whereof I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-sixth day of May,
in the year of our Lord one thousand eight hundred and sixty-
[SEAL.] six, and of the Independence of the United States of America
the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

Treaty between the United States of America and the Two Kettles Band of Dakota or Sioux Indians ; Concluded October 19, 1865 ; Ratification advised, with Amendment, March 5, 1866 ; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : Oct. 19, 1865.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the nineteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Cha-tan-skah, (The White Hawk,) E-to-ke-ah, (The Hump,) and other chiefs and headmen of the Two Kettles band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit :— Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Two Kettles band of Dakota or Sioux Indians. Contracting parties.

ARTICLE I. The Two Kettles band of Dakota or Sioux Indians represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government of the United States or its people. Authority and jurisdiction of the United States acknowledged.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction, hitherto at war with each other, the Two Kettles band of Dakota or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue, for the future, all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them. Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Two Kettles band of Dakota or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council. Controversies to be submitted to the arbitrament of the President.

Indians to
withdraw from
overland routes.

ARTICLE IV. The said band, represented in council, shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of six thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That the said band so represented in council shall faithfully conform to the requirements of this treaty.

Amendment.
Post, p. 45.
Payment.
Proviso.

Individual In-
dians locating
upon lands to be
protected.

ARTICLE V. Should any individual or individuals, or portion of the band of The Two Kettles band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any part of the land claimed by the said band, for the purpose of agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and where twenty lodges or families of the Two Kettles band shall have located on lands for agricultural purposes, and signified the same to their agent or superintendent, they as well as other families so locating shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, also teachers, at the option of the Secretary of the Interior, when deemed necessary.

Payments for
agricultural, &c.
implements.

Farmer and
blacksmith.
Teachers.

Indemnity for
killing a chief.

ARTICLE VI. Soldiers in the United States service having killed Ish-tah-chah-ne-aha, (Puffing Eyes,) a friendly chief of the Two Kettles band of Dakota or Sioux Indians, it is hereby agreed that the government of the United States shall cause to be paid to the surviving widow of the deceased and his children, seventeen in number, the sum of five hundred dollars; and to the said tribe or band, in common, as indemnity for killing said chief, the sum of five hundred dollars, said payment to be made under the direction of the Secretary of the Interior.

Amendment
to be binding.

ARTICLE VII. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Two Kettles band of Dakota or Sioux, have hereunto set their hands, this nineteenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Major-General*,
H. H. SIBLEY, *Brigadier-General*,
HENRY W. REED,
ORRIN GUERNSEY,

Commissioners on the part of the United States.

CHA-TAN-SKAH, The White Hawk, chief,	his x mark.
E-TO-KE-AH, The Hump, chief,	his x mark.
SHON-KAH-WAK-KON-KE-DESH-KAH, The Spotted Horse, chief,	his x mark.
MAH-TO-KE-DESH-KAH, The Spotted Bear, chief,	his x mark.
MAH-TO-TO-PAH, The Four Bears,	his x mark.

CHAN-TAY-O-ME-NE-O-ME-NE, The Whirling
 Heart, his x mark.
 MAH-TO-A-CHA-CHAH, The Bear that is like
 him, his x mark.
 TAH-HOO-KA-ZAH-NOM-PUB, The Two Lances, his x mark.
 MAH-TO-TON-KAH, The Big Bear, his x mark.
 TO-KE-CHI-WY-A, He that Catches the Enemy, his x mark.
 MAH-TO-NAN-GEE, The Bear that Stands, his x mark.
 SHON-KAH-DOO-TAH, The Red Dog, his x mark.
 CHON-NOM-PAH-PA-GE-NAN-KAH, He that
 wears the Pipe on his head, his x mark.
 TAH-SHON-KAH-MUZ-ZAH, His Iron Dog, his x mark.
 HO-PO-E-MUZ-ZAH, The Iron Wing, his x mark.
 CHAH-GE-LESH-KAH-WAK-KE-AN, The Thun-
 der Spotted Hoop, his x mark.
 HAK-KAH-DOO-SAH, The Fast Elk, his x mark.
 WY-AH-TAH-TON-KAH, The Big Nation, his x mark.
 WE-KEE-PAH, The One that Calls the Women, his x mark.
 PA-JE-TO, Green Grass, his x mark.
 Chief CHON-KA-HAS-KA, Stinking Dog, his x mark.
 Chief PA-TA-SEA-WAH-BEL-LU, White Cow
 Eagle, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained, in our presence :—

A. W. HUBBARD, *M. C. 6th dist. Iowa.*

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*

CHAS. C. G. THORNTON, *Lt.-Col. 4th U. S. Vols.*

E. F. RUTH, *Sec'y of Commission.*

O. D. BARRETT, *Special Agent Ind. Aff.*

ZEPHIER RECONTRE, his x mark, *Interpreter.*

CHARLES DEGRE, his x mark, “

The foregoing signatures in this handwriting (that of Gen. Curtis) were made in presence of the undersigned.

Maj. A. P. SHREVE, *Paymaster U. S. A.*

JOHN PATTEE, *Lt.-Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit :—

Ratification
with amend-
ment.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the Commissioners on the part of the United States, and the chiefs and headmen of the Two Kettles band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT :

Article IV., lines 3, 4, and 5, strike out the following words, viz : “and of their non-interference with the persons and property of citizens of the United States travelling thereon.”

Ante, p. 44.

Attest :

J. W. FORNEY, *Secretary.*

And whereas article seventh of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band: —

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March,
in the year of our Lord one thousand eight hundred and
[SEAL.] sixty-six, and of the Independence of the United States of
America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Blackfeet Band of Dakota or Sioux Indians ; Concluded October 19, 1865 ; Ratification advised, with Amendment, March 5, 1866 ; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : Oct. 19, 1865.

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the nineteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners, on the part of the United States, and Wah-hah-chunk-i-ah-pee, (The One that is used as a Shield,) Wah-mun-dee-wak-ko-no, (The War Eagle in the Air,) and other chiefs and headmen of the Blackfeet band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Blackfeet band of Dakota or Sioux Indians.

Contracting parties.

ARTICLE I. The Blackfeet band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force to prevent other bands of the Dakota or Sioux, or other adjacent tribes from making hostile demonstrations against the government of the United States, or its people.

Jurisdiction and authority of the United States acknowledged, &c.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto a[t] war with each other, the Blackfeet band of Dakota or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Blackfeet band of Dakota or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Controversies to be submitted to the arbitrament of the President.

Indians to
withdraw from
overland routes.
Amendment.
Post, p. 49.

Payments.

Proviso.

Amendments
to be binding.

Execution.

ARTICLE IV. The said band, represented in council, shall withdraw from the routes overland, already established or hereafter to be established, through their country, and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of seven thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

ARTICLE V. Any amendment or modification of this treaty, by the [Senate of the United States shall be considered final and binding upon the] said band represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said nation.

In testimony whereof the commissioners on the part of the United States, and the chiefs and headmen of the said Blackfeet band of the Dakota or Sioux, have hereunto set their hands, this nineteenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the said chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Major-General*,
H. H. SIBLEY, *Brig.-General*,
HENRY W. REED,
ORRIN GUERNSEY.

Chiefs.

WAH-HAH-CHUNK-IAH-PEE, The One that is
used as a Shield, his x mark.
WAH-MUN-DEE-WAK-KON-O, The War Eagle
in the Air, his x mark.
OYA-HIN-DI-A-MAN-NEE, The Track that Rings
as it Walks, his x mark.
SHON-KAH-HON-SKAH, The Long Dog, his x mark.

Principal Braves or Soldiers.

MAH-TO-KO-KE-PAH, He that Fears the Bear, his x mark.
A-HACK-AH-SAP-PAH, The Black Stag, his x mark.
A-HACK-AH-WE-CHASH-TAH, The Stag Man, his x mark.
MAH-TO-WASH-TAY, The Good Bear, his x mark.
TAH-TON-KAH-HO-WASH-TAY, The Buffalo
with a Fine Voice, his x mark.
SHON-KAH-WAH-MUN-DEE, The Dog War
Eagle, his x mark.
WAH-MUN-DEE-YOU-HAH, He that has the War
Eagle, his x mark.
MUZ-ZAH-TO-YAH, The Blue Iron, his x mark.
Chief CHAN-TA-PA-TA, Fire Heart, his x mark.
Chief CHAN-TA-NON-PAS, Two Hearts, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen after the treaty had been fully read, interpreted, and explained, in our presence: —

A. W. HUBBARD, *M. C. 6th dist. Iowa.*
E. F. RUTH, *Sec'y to Commission.*
O. D. BARRETT, *Special Agent Ind. Affs.*

S. S. CURTIS, *Maj. 2d Colorado Cav.*
 R. R. HITT, *Reporter of the Commission.*
 ZEPHIER RECONTRE, his x mark,
 CHARLES DEGRES, his x mark,
Interpreter[s]

Soldiers.

CE-HA-PA-CHI-KE-LA, Little Blackfoot,	his x mark.
CHAN-TA-PE-A, Strong Heart,	his x mark.
NON-PA-GE-GU-MUGAMA, Round Hand,	his x mark.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit : —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 March 5, 1866,

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the commissioners on the part of the United States and the chiefs and headmen of the Blackfeet Band of *Dacotah* [Dakota] or Sioux Indians, with the following

Ratified with
 amendment.

AMENDMENT :

Article IV., lines 3, 4, and 5, strike out the following words, viz.: “and of their no[n]-interference with the persons and property of citizens of the United States travelling thereon.”

See *Ante*, p. 48.

Attest :

J. W. FORNEY, *Secretary.*

And whereas it was intended and understood by article fifth of said treaty that any amendment or modification of it by the Senate of the United States should be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band :

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and sixty-six,
 [SEAL.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Sans Arcs Band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 20, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Wah-mun-dee-o-pee-doo-tah, (The War Eagle with the Red Tail,) Cha-tau'hne, (The Yellow Hawk,) and other chiefs and headmen of the Sans Arcs band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, Governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indians affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Sans Arcs band of Dakota or Sioux Indians.

Contracting parties.

ARTICLE I. The Sans Arcs band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Authority and jurisdiction of the United States acknowledged.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Sans Arcs band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Sans Arcs band of Dakota or Sioux Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

Controversies to be submitted to the arbitrament of the President.

Indians to
withdraw from
overland routes.
Amendment.
Post, p. 53.

Payment.

Proviso.

Individual In-
dians locating
upon lands to be
protected.

Payments for
agricultural,
&c., implements.

Farmer and
blacksmith.
Teachers.

Amendments
to be binding.

Execution.

ARTICLE IV. The said band represented in council shall withdraw from the route overland already established, or hereafter to be established, through their country; and in consideration thereof and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

ARTICLE V. Should any individual or individuals or portion of the band of the Sans Arcs band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty, that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the Sans Arcs band shall have located on land for agricultural purposes, and signified the same to their agent or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits they shall be entitled to a farmer and blacksmith, at the expense of the government; as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

ARTICLE VI. Any amendment or modification of this treaty, by the Senate of the United States, shall be considered final and binding upon the said band represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Sans Arcs band of Dakota or Sioux Indians, have hereunto set their hands this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
HENRY. H. SIBLEY, *Brig.-Gen'l*,
HENRY W. REED,
ORRIN GUERNSEY.

Chiefs.

WAH-MUN-DEE-O-PEE-DOO-TAH, The War Eagle with the Red Tail,	his x mark.
CHA-TAU-'HNE, Yellow Hawk,	his x mark.
SHON-KAH-WE-TO-KO, The Fool Dog,	his x mark.

Chief Soldiers.

CHAN-TAY-MAH-TO, The Bear's Heart,	his x mark.
TAH-KO-KO-KE-PISH-NEE, The Man that Fears Nothing,	his x mark.
NUP-CHE-UNK, The Nine,	his x mark.
MAH-TO-NUK-KAH, The Bear's Ears,	his x mark.
CHAN-DESH-KAH-SAPPAH, The Black Hoop,	his x mark.
ZE-TE-KAH-NAH-SAPPEE, The Bird Necklace,	his x mark.

Signed by the Commissioners on the part of the United States, and by

the chiefs and headmen after the treaty had been fully read, interpreted, and explained, in our presence :

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
 S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*
 E. F. RUTH, *Sec'y of Commission.*
 W. S. WOODS, *Surgeon U. S. Vols.*
 C. S. MORRISON,
 O. E. GUERNSEY,
 CHARLES DEGRE, his x mark, *Interpreter.*
 Chief CROW FEATHER, *Con-ge-we-a-ka*, his x mark.
 GRAY HAIR, *Pa-he-sa*, his x mark.
 RED HAIR, *Pa-he-sha*, his x mark.
 THE SHIELD EAGLE, *Wa-chan-ka-wam-ba-lee*, his x mark.
 BLACK BEAR, *Ma-to-sapa*, his x mark.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit : —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the commissioners on the part of the United States, and the chiefs and headmen of the Sans Arcs band of *Dacotah* [Dakota] or Sioux Indians, with the following

Ratification
with amend-
ment.

AMENDMENT.

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon."

See *Ante*, p. 52.

Attest :

J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band :—

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March,
 in the year of our Lord one thousand eight hundred and
 [SEAL.] sixty-six, and of the Independence of the United States of
 America the ninetieth.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Yanktonai Band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 20, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and M'Doka, (The Buck,) Mah-to-wak-kouah, (He that runs the Bear,) and other chiefs and headmen of the Yanktonai band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Yanktonai band of Dakota or Sioux Indians. ,

Contracting parties.

ARTICLE I. The Yanktonai band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Jurisdiction and authority of the United States acknowledged.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Yanktonai band of Dakota or Sioux Indians represented in council, anxious to respect the wishes of the government, hereby agree to discontinue, for the future, all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Yanktonai band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

Controversies to be submitted to the arbitrament of the President.

ARTICLE IV. The said band, represented in council shall withdraw from the routes overland already established, or hereafter to be established, through their country ; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United

Indians to withdraw from overland routes. Amendment. Post, p. 57.

States travelling thereon, the government of the United States agree to pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of the Yanktonai band of Dakota or Sioux Indians represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the Yanktonai band shall have located on lands for agricultural purposes, and signified the same to their agents or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for agricultural, &c., purposes.

Farmer, blacksmith, and teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Yanktonai band of Dakota or Sioux Indians, have hereunto set their hands, this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
H. H. SIBLEY, *Brig.-Gen'l*,
HENRY REED,
ORRIN GUERNSEY.

Chiefs.

M'DOKA, or The Buck,	his x mark.
MAH-TO-WAK-KOUAH, He that Runs the Bear,	his x mark.
SHON-KAH-WE-TE-KO, The Fool Dog,	his x mark.

Chief Soldiers.

TAH-CHONK-PEE-SAPPAH, The Black Tomahawk,	his x mark.
WAH-DOO-TAH-WAK-KEAN, The Red Thunder,	his x mark.
TON-KON-HA-TON, The Rock with a Horn,	his x mark.

Chiefs.

TWO BEARS, Mato-non-pa,	his x mark.
WHITE BEAR, Ma-to-sea,	his x mark.
BONE NECKLACE, Ho-hoo-non-pee,	his x mark.

Soldier.

DOG CLOUD,	his x mark.
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In presence of —

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*
S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*

A. W. HUBBARD, *M. C. 6th Dist. Iowa*,
 E. F. RUTH, *Secretary of Commission*.
 R. R. HITT, *Reporter of Commission*.
 ZEPHIER RE[N]CONTRE, his x mark, *Interpreter*.
 CHARLES DEGRES, his x mark, *Interpreter*.

THE MAN THAT RUNS IN HIS TRACKS,
 O-yea-ke-pa, his x mark.
 THE MAN SURROUNDED, Na-je-om-pee, his x mark.
 THE MEDICINE WHITE MAN, Wa-se-che-
 wa-kon, his x mark.
 THE MAN THAT STIRS, Skin-ich-e-a, his x mark.
 FAST WALKER, Mon-ne-loo-sa, his x mark.
 RED BULL, Taw-ton, his x mark.

The foregoing signatures in this handwriting (that of General Curtis) were made in presence of the undersigned on the 28th and 29th October, 1865 at Fort Sully.

Maj. A. P. SHREVE, *Paymaster U. S. A.*
 JOHN PATTIE, *Lt. Col. 7th Iowa Cavalry*.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the Commissioners on the part of the United States and the *Upper* Yanktonai band of *Dacotah* [Dakota] or Sioux Indians, with the following

Ratification
with amend-
ment.

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz.: “and of their non-interference with the persons and property of citizens of the United States travelling thereon.”

See *Ante*, p. 55.

Attest:

J. W. FORNEY, *Secretary*.

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:—

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this seventeenth day of March,
 in the year of our Lord one thousand eight hundred and sixty-
 [L. s.] six, and of the Independence of the United States of America
 the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

Treaty between the United States of America and the Onkpahpah Band of Dakota or Sioux Indians; Concluded October 20, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 20, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twentieth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Ah-ke-tche-tah-hon-skah, (The Tall Soldier,) Mah-to-che-kah, (The Little Bear,) and other chiefs and headmen of the Onk-pah-pah band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Onkpahpah band of Dakota or Sioux Indians.

Contracting parties.

ARTICLE I. The Onkpahpah band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Authority and jurisdiction of the United States acknowledged.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Onkpahpah band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of the tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Onkpahpah band of Dakota or Sioux Indians involving the question of peace or war shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

Controversies to be submitted to the arbitrament of the President.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established, or hereafter to be established, through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to

Indians to withdraw from overland routes.

Amendment.
Post, p. 61.

Payments. pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

Proviso.

Individual Indians locating on lands to be protected.

ARTICLE V. Should any individual or individuals, or portion of the band of the Onkpahpah band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians, and whenever twenty lodges or families of the Onkpahpah band shall have located on land for agricultural purposes, and signified the same to their agents or superintendent, they as well as other families so locating shall receive the sum of twenty-five dollars annually for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for agricultural, &c., purposes.

Farmer, blacksmith, and teachers.

Amendments to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Onkpahpah band of Dakota or Sioux Indians, have hereunto set their hands this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-General*,
H. H. SIBLEY, *Brig.-General*,
HENRY W. REED,
ORRIN GUERNSEY.

Chiefs.

AH-KE-TCHE-TAH-HON-SKAH, The Tall Soldier, his x mark.
MAH-TO-CHE-KAH, The Little Bear, his x mark.
MUZZAH-E-NOM-PAH, The Iron that Comes Out, his x mark.
WAK-KE-AN-SKAH, The White Thunder, his x mark.

Chief Soldiers.

MAH-TO-NOM-PAH, The Two Bears, his x mark.
CHA-TAN-ME-NE-O-ME-NEE, The Whirling Heart, his x mark.

Chiefs.

MA-TO-CHEWICKSA, Bear's Rib, his x mark.
RUNNING ANTELOPE, Ta-to-kee-un, his x mark.
THE MAN THAT HAS A HEART FOR ALL, his x mark.
O-en-e-chan-ta-u-can,

Soldiers.

THUNDER HAWK, Cha-ton-wa-ke-on, his x mark.
IRON HORN, Ha-ma-za, his x mark.
PLENTY CROWS, Con-ge-o-ta, his x mark.
THE MAN THAT FEARS THE EAGLE, his x mark.
Wam-bel-le-co-ke-pa,
SPOTTED BUFFALO BULL, Ta-tanka-ge-lis-ka, his x mark.

Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence:—

HEZ. L. HOSMER, *Chief Justice of Montana Territory.*

S. S. CURTIS, *Bvt. Lt. Col. U. S. V.*

E. F. RUTH, *Sec'y of Commission.*

W. S. WOODS, *Surgeon U. S. Vols.*

C. S. MORRISON.

O. E. GUERNSEY.

CHARLES DEGRE, his x mark, *Interpreter.*

The foregoing signatures in this handwriting (that of Gen'l Curtis) were made in presence of the undersigned on the 28th and 29th Oct. 1865, at Fort Sully.

Maj. A. P. SHREVE, *Paymaster U. S. A.*

JOHN PATTEE, *Lt. Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit:—

Ratification
with amend-
ment.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.
March 5th, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the Commissioners on the part of the United States and the chiefs and headmen of the Onk-pah-pah band of *Dacotah* [Dakota] or Sioux Indians, with the following

AMENDMENT:

ARTICLE IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon."

See *Ante*, p. 59.

Attest:

J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Upper Yanktonais Band of Dakota or Sioux Indians; Concluded October 28, 1865; Ratification advised, with Amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 28, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twenty-eighth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Na-su-la-tan-ka, (Big Head,) Na-pa-tan-ka, (Big Hand,) and other chiefs and headmen of the Upper Yanktonais band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Upper Yanktonais band of Dakota or Sioux Indians.

Contracting parties.

ARTICLE I. The Upper Yanktonais band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Jurisdiction and authority of the United States acknowledged.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

Controversies to be submitted to the arbitrament of the President.

Indians to
withdraw from
overland routes.
Amendment.
Post, p. 65.

Payments.
Proviso.

Individual In-
dians locating on
lands to be pro-
tected.

Payments for
agricultural pur-
poses.

Farmer, black-
smith, and
teachers.

Amendments
to be binding.

Execution.

ARTICLE IV. The said band represented in council, shall withdraw from the routes overland already established, or hereafter to be established, through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay the said band the sum of ten thousand dollars, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band so represented in council shall faithfully conform to the requirements of this treaty.

ARTICLE V. Should any individual or individuals, or portion of the band of the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that said individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians, and whenever twenty lodges or families of the Upper Yanktonais band shall have located on land for agricultural purposes, and signified the same to their agent or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, w[h]enever deemed necessary.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Upper Yanktonais band of Dakota or Sioux Indians, have hereunto set their hands this twenty-eighth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B. TAYLOR,
S. R. CURTIS, *Maj.-Gen'l.*
H. H. SIBLEY, *Brig.-Gen'l.*
HENRY W. REED,
ORRIN GUERNSEY.

The above signatures were made in our presence:—

GEO. D. HILL.

S. L. SPINK.

A. W. HUBBARD.

G. C. MOODY.

Chief: Big Head, NA-SU-LA-TAN-KA, his x mark.

Soldier: Big Hand, NA-PA-TAN-KA, his x mark.

Soldier: Left-handed Bear, MA-TO-CHAT-KA, his x mark.

Soldier: The Fine Dressed Man, WA-ICH-CO-YA-KA, his x mark.

The Man Covered with Lice, HA-O-POO-ZA, his x mark.

Little Soldier, A-KICH-IT-A-CHI-KI-LA, his x mark.

The Spread Horn, HA-KA-TI-NA, his x mark.

Black Tiger, EGO-MO-SA-PA, his x mark.

The Man Afraid of his War-club, CHAM-PI-CO-QUI-PA, his x mark.

The Big Shaved Head, COSH-LA-TON-CA, his x mark.

Lazy Bear, MA-TO-CHICK-PA-NE, his x mark.

The Man.

Rock Man, TON-KA-WI-CHA-SA, his x mark.

Chief: Black Catfish, O-WA-SA-PA, his x mark.

Chief: The Curley-headed Goose, MA-GA-BO-MA-DO, his x mark.

The above signatures in this handwriting (that of Gen'l Curtis) were made in presence of the undersigned, on the 28th and 29th Oct., 1865, at Fort Sully.

MAJ. A. P. SHREVE, *Paymaster U. S. A.*

JOHN PATTEE, *Lt. Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5th, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between the Commissioners on the part of the United States and the chiefs and headmen of the Upper Yanktonais band of *Dacotah* [Dakota or Sioux] Indians, with the following

Ratified with
amendment.

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon."

Ante, p. 64.

Attest:

J. W. FORNEY, *Secretary.*

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March,
in the year of our Lord one thousand eight hundred and
[SEAL.] sixty-six, and of the Independence of the United States of
America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the O'Gallala Band of Dakota or Sioux Indians; Concluded October 28, 1865; Ratification advised, with amendment, March 5, 1866; Proclaimed March 17, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 28, 1865.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the twenty-eighth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners, on the part of the United States, and Tan-tan-ka-has-ka, (Long Bull,) Ma-lo-wa-ta-khe, (The Charging Bear,) and other chiefs and headmen of the O'Gallala band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Preamble.

ARTICLES OF A TREATY made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Maj.-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the O'Gallala band of Dakota or Sioux Indians.

Contracting parties.

ARTICLE I. The O'Gallala band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

Jurisdiction and authority of the United States acknowledged.

ARTICLE II. Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the O'Gallala band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied by them.

Persons and property of other tribes not to be first attacked.

ARTICLE III. All controversies or differences arising between the O'Gallala band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted *shall be submitted* for the arbitrament of the *arbitrament of the* President, or such person or persons as may be designated by him, and

Controversies to be submitted to the arbitrament of the President.

the decision or award faithfully observed by the said band represented in council.

Indians to
withdraw from
overland routes.
Amendment.
Post, p. 69.

ARTICLE IV. The said band represented in council shall withdraw from the routes overland already established or hereafter to be established through their country: and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of ten thousand dollars annually for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

Payments.
Proviso.

Individual In-
dians locating on
lands to be pro-
tected.

ARTICLE V. Should any individual or individuals, or portion of the band of the [O'Gallala] band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty, that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the O'Gallala band shall have located on land for agricultural purposes, and signified the same to their agent or superintendent, they as well as other families so locating shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits they shall be entitled to a farmer and blacksmith, at the expense of the government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

Payments for
agricultural,
&c., purposes.

Farmer, black-
smith, and
teachers.

Amendments
to be binding.

ARTICLE VI. Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

Execution.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said O'Gallala band of Dakota or Sioux Indians, have hereunto set their hands this twenty-sixth day of October, eighteen hundred and sixty-five after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,
EDWARD B TAYLOR,
S. R. CURTIS, *Maj.-Gen'l*,
H. H. SIBLEY, *Brig.-Gen'l*,
HENRY W. REED,
ORRIN GUERNSEY.

Signed on the part of the Commission, in our presence:—

S. L. SPINK,
GEO. D. HILL,
A. W. HUBBARD,
G. C. MOODY.

Chief LONG BULL, Tan-tan-ka-has-ka, his x mark.

THE CHARGING BEAR, Ma-lo-wa-ta-khe, his x mark.

THE MAN THAT STANDS ON A HILL, Pa-ha-to-na-je, his x mark.

The foregoing signatures in this handwriting (that of General Curtis) were made in presence of the undersigned on the 28th and 29th Oct., 1865, at Fort Sully.

Maj. A. P. SHREVE, *Paymaster U. S. A.*
JOHN PATTEE, *Lt. Col. 7th Iowa Cavalry.*

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifth day of March, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, by a resolution in the words and figures following, to wit:—

Ratification
with amend-
ment.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States and headmen of the O'Gallala band of *Dacotah* [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

AMENDMENT:

Article IV., lines 3, 4, and 5, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon." See *Ante*, p. 68.

Attest:

J. W. FORNEY, *Secretary*.

And whereas article sixth of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band:—

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendment as aforesaid.

Proclaimed.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this seventeenth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] sixty-six, and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.



Treaty between the United States of America and the Seminole Nation of Indians; Concluded March 21, 1866; Ratification advised July 19, 1866; Proclaimed August 16, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA, March 21, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

Whereas a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-first day of March, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Elijah Sells, and Col. Ely S. Parker, Commissioners on the part of the United States, and John Chup-co, Cho-cote-harjo, Fos-harjo, and John F. Brown, chiefs and delegates of the Seminole Indians, on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit : — Preamble.

ARTICLES OF A TREATY made and concluded at Washington, D. C., March 21, A. D. 1866, between the United States government, by its Commissioners, D. N. Cooley, Commissioner of Indian affairs, Elijah Sells, superintendent of Indian affairs, and Ely S. Parker, and the Seminole Indians, by their chiefs, John Chup-co, or Long John, Cho-cote-harjo, Fos-ha[r]-jo, John F. Brown. Contracting parties.

PREAMBLE.

Whereas existing treaties between the United States and the Seminole nation are insufficient to meet their mutual necessities; and whereas the Seminole nation made a treaty with the so-called confederate states, August 1st, 1861, whereby they threw off their allegiance to the United States, and unsettled their treaty relations with the United States, and thereby incurred the liability of forfeiture of all lands and other property held by grant or gift of the United States; and whereas a treaty of peace and amity was entered into between the United States and the Seminole and other tribes at Fort Smith, September 10, 1865, whereby the Seminoles revoked, cancelled, and repudiated the said treaty with the so-called confederate states; and whereas the United States, through its commissioners, in said treaty of peace, promised to enter into treaty with the Seminole nation to arrange and settle all questions relating to and growing out of said treaty with the so-called confederate states; and whereas the United States, in view of said treaty of the Seminole nation with the enemies of the government of the United States, and the consequent liabilities of said Seminole nation, and in view of its urgent necessities for more lands in the Indian territory, requires a cession by said Seminole nation of a part of its present reservation, and is willing to pay therefor a reasonable price, while at the same time providing new and adequate lands for them.

Now, therefore, the United States, by its commissioners aforesaid, and the above-named delegates of the Seminole nation, the day and year above written, mutually stipulate and agree, on behalf of the respective parties, as follows, to wit : —

ARTICLE I. There shall be perpetual peace between the United States and the Seminole nation, and the Seminoles agree to be and remain firm allies of the United States, and always faithfully aid the government thereof to suppress insurrection and put down its enemies. Peace and friendship.

Military
occupation and
protection by the
United States.

The Seminoles also agree to remain at peace with all other Indian tribes, and with themselves. In return for these pledges of peace and friendship, the United States guarantee them quiet possession of their country, and protection against hostilities on the part of other tribes; and in the event of such hostilities, that the tribe commencing and prosecuting the same shall make just reparation therefor. Therefore the Seminoles agree to a military occupation of their country at the option and expense of the United States.

Amnesty.

A general amnesty of all past offences against the laws of the United States, committed by any member of the Seminole nation, is hereby declared; and the Seminoles, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offences against their government, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who have remained friendly to or taken up arms against the United States, but they shall enjoy equal privileges with other members of said tribe, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

Slavery not to
exist among the
Seminoles.

ARTICLE II. The Seminole nation covenant that henceforth in said nation slavery shall not exist, nor involuntary servitude, except for and in punishment of crime, whereof the offending party shall first have been duly convicted in accordance with law, applicable to all the members of said nation. And inasmuch as there are among the Seminoles many persons of African descent and blood, who have no interest or property in the soil, and no recognized civil rights, it is stipulated that hereafter these persons and their descendants, and such other of the same race as shall be permitted by said nation to settle there, shall have and enjoy all the rights of native citizens, and the laws of said nation shall be equally binding upon all persons of whatever race or color who may be adopted as citizens or members of said tribe.

Rights of those
of African de-
scent.

Cession of
lands to the Uni-
ted States.

ARTICLE III. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Seminoles cede and convey to the United States their entire domain, being the tract of land ceded to the Seminole Indians by the Creek nation under the provisions of article first (1st), treaty of the United States with the Creeks and Seminoles, made and concluded at Washington, D. C., August 7, 1856. In consideration of said grant and cession of their lands, estimated at two million one hundred and sixty-nine thousand and eighty (2,169,080) acres, the United States agree to pay said Seminole nation the sum of three hundred and twenty-five thousand three hundred and sixty-two (\$325,362) dollars, said purchase being at the rate of fifteen cents per acre. The United States having obtained by grant of the Creek nation the westerly half of their lands, hereby grant to the Seminole nation the portion thereof hereafter described, which shall constitute the national domain of the Seminole Indians. Said lands so granted by the United States to the Seminole nation are bounded and described as follows, to wit: Beginning on the Canadian river where the line dividing the Creek lands according to the terms of their sale to the United States by their treaty of February 6, 1866, following said line due north to where said line crosses the north fork of the Canadian river; thence up said north fork of the Canadian river a distance sufficient to make two hundred thousand acres by running due south to the Canadian river; thence down said Canadian river to the place of beginning. In consideration of said cession of two hundred thousand acres of land described above, the Seminole nation agrees to pay therefor the price of fifty cents per acre, amounting to the sum of one hundred thousand dollars, which amount shall be deducted from the sum paid by the United States for Seminole lands under the stipulations above written. The balance due the Seminole nation after making said deduction, amounting to one hundred thousand dollars, the United States agree

Payment by
the United
States.

Grant to the
Seminoles.

Boundaries.

Payment
therefor.

Balance due
the Seminoles.

to pay in the following manner, to wit: Thirty thousand dollars shall be paid to enable the Seminoles to occupy, restore, and improve their farms, and to make their nation independent and self-sustaining, and shall be distributed for that purpose under the direction of the Secretary of the Interior; twenty thousand dollars shall be paid in like manner for the purpose of purchasing agricultural implements, seeds, cows, and other stock; fifteen thousand dollars shall be paid for the erection of a mill suitable to accommodate said nation of Indians; seventy thousand dollars to remain in the United States treasury, upon which the United States shall pay an annual interest of five per cent; fifty thousand of said sum of seventy thousand dollars shall be a permanent school fund, the interest of which shall be paid annually and appropriated to the support of schools; the remainder of the seventy thousand dollars, being twenty thousand dollars, shall remain a permanent fund, the interest of which shall be paid annually for the support of the Seminole government; forty thousand three hundred and sixty-two dollars shall be appropriated and expended for subsisting said Indians, discriminating in favor of the destitute; all of which amounts, excepting the seventy thousand dollars, to remain in the treasury as a permanent fund, shall be paid upon the ratification of said treaty, and disbursed in such manner as the Secretary of the Interior may direct. The balance, fifty thousand dollars, or so much thereof as may be necessary to pay the losses ascertained and awarded as hereinafter provided, shall be paid when said awards shall have been duly made and approved by the Secretary of the Interior. And in case said fifty thousand dollars shall be insufficient to pay all said awards, it shall be distributed pro rata to those whose claims are so allowed; and until said awards shall be thus paid, the United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent per annum from the date of the ratification of this treaty.

ARTICLE IV. To reimburse such members of the Seminole nation as shall be duly adjudged to have remained loyal and faithful to their treaty relations to the United States, during the recent rebellion of the so-called confederate states, for the losses actually sustained by them thereby, after the ratification of this treaty, or so soon thereafter as the Secretary of the Interior shall direct, he shall appoint a board of commissioners, not to exceed three in number, who shall proceed to the Seminole country and investigate and determine said losses. Previous to said investigation the agent of the Seminole nation shall prepare a census or enumeration of said tribe, and make a roll of all Seminoles who did in no manner aid or abet the enemies of the government, but remained loyal during said rebellion; and no award shall be made by said commissioners for such losses unless the name of the claimant appear on said roll, and no compensation shall be allowed any person for such losses whose name does not appear on said roll, unless said claimant, within six months from the date of the completion of said roll, furnishes proof satisfactory to said board, or to the commissioner of Indian affairs, that he has at all times remained loyal to the United States, according to his treaty obligations. All evidence touching said claims shall be taken by said commissioners, or any of them, under oath, and their awards made, together with the evidence, shall be transmitted to the commissioner of Indian affairs, for his approval, and that of the Secretary of the Interior. Said commissioners shall be paid by the United States such compensation as the Secretary of the Interior may direct. The provisions of this article shall extend to and embrace the claims for losses sustained by loyal members of said tribe, irrespective of race or color, whether at the time of said losses the claimants shall have been in servitude or not; provided said claimants are made members of said tribe by the stipulations of this treaty.

ARTICLE V. The Seminole nation hereby grant a right of way through

How to be paid.

Board of commissioners to determine losses sustained by loyal Seminoles.

Census of those loyal.

No compensation except to loyal Indians.

Awards of commissioners.

Pay.

What claims for losses included.

Right of way
for railroad
granted through
the land of the
Seminoles.

Lands will be
sold.

Proviso.

Agency build-
ings.

Seminoles
agree to certain
legislation.

Proviso.

General coun-
cil.

Census.

First general
council, how
composed.

their lands to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point on their eastern to their western or southern boundary ; but said railroad company, together with all its agents and employes, shall be subject to the laws of the United States relating to the intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior, for that purpose. And the Seminoles agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Seminole nation lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Seminole nation and the party or parties building said road — subject to the approval of the President of the United States : *Provided, however,* That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by, any one not a citizen of the Seminole nation, according to its laws and recognized usages : *Provided, also,* That officers, servants, and employes of said railroad necessary to its construction and management shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior ; nor shall any conveyance of said lands be made to the party building and managing said road, until its completion as a first-class railroad and its acceptance as such by the Secretary of the Interior.

ARTICLE VI. Inasmuch as there are no agency buildings upon the new Seminole reservation, it is therefore further agreed that the United States shall cause to be constructed, at an expense not exceeding ten thousand (\$10,000) dollars, suitable agency buildings, the site whereof shall be selected by the agent of said tribe, under the direction of the superintendent of Indian affairs ; in consideration whereof, the Seminole nation hereby relinquish and cede forever to the United States one section of their lands, upon which said agency buildings shall be *directed* [erected], which land shall revert to said nation when no longer used by the United States, upon said nation paying a fair value for said buildings at the time vacated.

ARTICLE VII. The Seminole nation agrees to such legislation as Congress and the President may deem necessary for the better administration of the rights of person and property within the Indian territory : *Provided, however,* [That] said legislation shall not in any manner interfere with or annul their present tribal organization, rights, laws, privileges, and customs.

The Seminole nation also agree that a general council, consisting of delegates elected by each nation, a tribe lawfully resident within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as are hereinafter described :—

1st. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census or enumeration of each tribe lawfully resident in said territory shall be taken, under the direction of the superintendent of Indian affairs, who, for that purpose, is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

2d. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be elected by said tribes respectively who may assent to the establishment of said general council ;

and if none should be thus formally selected by any nation or tribe, the said nation or tribe shall be represented in said general council by the chiefs and headmen of said tribes, to be taken in the order of their rank, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article; and the persons so entitled to represent said tribe shall meet at such time and place as he shall appoint; but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided*, That no session in any one year shall exceed the term of thirty days, and provided that special sessions of said council may be called by said superintendent whenever, in his judgment, or that of the Secretary of the Interior, the interest of said tribes shall require.

Time and place of meeting.
Sessions not to exceed 30 days.
Special sessions.

3d. Said general council shall have power to legislate upon all rightful subjects and matters pertaining to the intercourse and relations of the Indian tribes and nations resident in said territory; the arrest and extradition of criminals and offenders escaping from one tribe to another; the administration of justice between members of the several tribes of said territory, and persons other than Indians and members of said tribes or nations; the construction of works of internal improvement and the common defence and safety of the nation of said territory. All laws enacted by said council shall take effect at such time as may therein be provided, unless suspended by direction of the Secretary of the Interior or the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States, or the laws of Congress, or existing treaty stipulations with the United States; nor shall said council legislate upon matters pertaining to the organization, laws, or customs of the several tribes, except as herein provided for.

Powers of general council

4th. Said council shall be presided over by the superintendent of Indian affairs, or, in case of his absence for any cause, the duties of said superintendent enumerated in this article shall be performed by such person as the Secretary of the Interior may direct.

Who to preside over council.

5th. The Secretary of the Interior shall appoint a secretary of said council, whose duty it shall be to keep an accurate record of all the proceedings of said council, and who shall transmit a true copy of all such proceedings, duly certified by the superintendent of Indian affairs, to the Secretary of the Interior immediately after the session of said council. He shall be paid out of the treasury of the United States an annual salary of five hundred dollars.

Secretary of council.

6th. The members of said council shall be paid by the United States the sum of four dollars per diem during the time actually in attendance upon the sessions of said council, and at the rate of four dollars for every twenty miles necessarily travelled by them in going to said council and returning to their homes, respectively, to be certified by the secretary of the said council and the sup[erintenden]t of Indian affairs.

Pay.

Pay of members.

7th. The Seminoles also agree that a court or courts may be established in said territory, with such jurisdiction and organized in such manner as Congress may by law provide.

Courts.

ARTICLE VIII. The stipulations of this treaty are to be a full settlement of all claims of said Seminole nation for damages and losses of every kind growing out of the late rebellion, and all expenditures by the United States of annuities in clothing and feeding refugee and destitute Indians since the diversion of annuities for that purpose, consequent upon the late war with the so-called confederate states. And the Seminoles hereby ratify and confirm all such diversions of annuities heretofore made from the funds of the Seminole nation by the United States. And the United States agree that no annuities shall be diverted from the objects for which they were originally devoted by treaty stipulations with the Seminoles,

This treaty to be a full settlement of all claims.

Diversions of annuities.

to the use of refugee and destitute Indians, other than the Seminoles or members of the Seminole nation, after the close of the present fiscal year, June thirtieth, eighteen hundred and sixty-six.

Treaty obligations reaffirmed.

ARTICLE IX. The United States reaffirms and reassumes all obligations of treaty stipulations entered into before the treaty of said Seminole nation with the so-called confederate states, August first, eighteen hundred and sixty-one, not inconsistent herewith ; and further agree to renew all payments of annuities accruing by force of said treaty stipulations, from and after the close of the present fiscal year, June thirtieth, in the year of our Lord one thousand eight hundred and sixty-six, except as is provided in article eight (viii).

Land granted for missionary or educational purposes ;

ARTICLE X. A quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions, in one body, and which shall include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect, buildings within the Seminole country for missionary or educational purposes ; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of except with the consent and approval of the Secretary of the Interior. And whenever any such land or buildings shall be so sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Seminoles and such other persons as may be, or may hereafter become, members of the tribe according to its laws, customs, and usages.

not to be sold, except, &c.

When sold, proceeds to be how applied.

Inconsistent treaty provisions annulled.

ARTICLE XI. It is further agreed that all treaties heretofore entered into between the United States and the Seminole nation which are inconsistent with any of the articles or provisions of this treaty shall be, and are hereby, rescinded and annulled.

Execution.

In testimony whereof, the said Dennis N. Cooley, Commissioner of Indian affairs, Elijah Sells, superintendent of Indian affairs, and Col. Ely S. Parker, as aforesaid, and the undersigned, persons representing the Seminole nation, have hereunto set their hands and seals the day and year first above written.

DENNIS N. COOLEY, [SEAL.]

Commissioner of Indian Affairs.

ELIJAH SELLS, [SEAL.]

Superintendent Indian Affairs.

COL. ELY S. PARKER, [SEAL.]

Special Commissioner.

JOHN CHUP-CO, his x mark, [SEAL.]

King or Head Chief.

CHO-COTE-HARJO, his x mark, [SEAL.]

Counsellor.

FOS-HARJO, his x mark, [SEAL.]

Chief.

JOHN F. BROWN, [SEAL.]

Special Delegate for Southern Seminoles.

In presence of —

ROBERT JOHNSON, his x mark,

U. S. Interpreter for Seminole Indians.

GEO. A. REYNOLDS,

U. S. Indian Agent for Seminoles.

OK-TUS-SUS-HAR-JO, his x mark, or SANDS.

COW-E-TO-ME-KO, his x mark.

CHE-CHU-CHEE, his x mark.

HARRY ISLAND, his x mark,

U. S. Interpreter for Creek Indians.

J. W. DUNN,

U. S. Indian Agent for the Creek Nation.

PERRY FULLER.

Signed by John F. Brown, special delegate for Southern Seminoles, in presence of, this June thirtieth, eighteen hundred and sixty-six —

W. R. IRWIN.

J. M. TEBBETTS.

GEO. A. REYNOLDS, *U. S. Indian Agent.*

ROBERT JOHNSON, his x mark, *U. S. Interpreter.*

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the nineteenth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit: —

Ratification.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.

July 19, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Washington, D. C., March twenty-first, in the year of our Lord one thousand eight hundred and sixty-six, between the Commissioners on the part of the United States and the Seminole Indians.

Attest:

J. W. FORNEY, *Secretary.*

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the nineteenth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

Proclaimed.

Done at the city of Washington this sixteenth day of August, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,

Secretary of State.

Supplemental Article to the Treaty of November 15, 1861, between the United States of America and the Pottawatomie Tribe of Indians; Concluded March 29, 1866; Ratification advised April 26, 1866; Proclaimed May 5, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

March 29, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

Whereas a supplemental article to the treaty between the United States of America and the Pottawatomie Nation of Indians, of the fifteenth of November, one thousand eight hundred and sixty-one, was made and concluded at the city of Washington, in the District of Columbia, on the twenty-ninth day of March, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Commissioner, on the part of the United States, and J. N. Bourassa, U. F. Navane, and B. N. Bertrand, Business Committee, on the part of said nation of Indians, and duly authorized thereto by them, which supplemental article is in the words and figures following, to wit : —

Preamble.

Vol. xii. p. 1191.

Whereas certain amendments are desired by the Pottawatomie Indians to their treaty concluded at the Pottawatomie Agency on the fifteenth day of November, A. D. 1861, and amended by resolution of the Senate of the United States dated April the fifteenth, A. D. 1862; and whereas the United States are willing to assent to such amendments, it is therefore agreed by and between Dennis N. Cooley, Commissioner, on the part of the United States, thereunto duly authorized, and the undersigned Business Committee, acting on behalf of said tribe, and being thereunto duly authorized, in manner and form following, that is to say : —

Contracting parties.

ARTICLE I. The beneficial provisions in behalf of the more prudent and intelligent members of said tribe, contained in the third article of the amended treaty above recited, shall not hereafter be confined to males and heads of families, but the same shall be and are hereby extended to all adult persons of said tribe without distinction of sex, whether such persons are or shall be heads of families or otherwise, in the same manner, to the same extent, and upon the same terms, conditions, and stipulations as are contained in said third article of said treaty with reference to "males and heads of families."

Provisions of third article of former treaty extended to all adult persons of the tribe.

In testimony whereof the said parties by their Commissioner and Business Committee aforesaid have hereunto set their hands and seals at Washington City, District of Columbia, this 29th day of March, in the year of our Lord one thousand eight hundred and sixty-six.

Execution.

DENNIS N. COOLEY, [SEAL.]
Commissioner.

J. N. BOURASSA, [SEAL.]
U. F. NAVANE, [SEAL.]
B. N. BERTRAND, [SEAL.]

Business Committee.

Signed in presence of —

L. R. PALMER,
JAMES STEELE.

Ratification. And whereas the said supplemental article having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of April, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.
April 26, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the supplemental article to the Pottawatomie treaty of November 15, 1861, concluded on the 29th of March, 1866.

Attest:

J. W. FORNEY, *Secretary*.

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of April, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said supplemental article of treaty as aforesaid.

In testimony whereof I have signed the same with my hand, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this fifth day of May, in the year of our Lord one thousand eight hundred and sixty-six,
[SEAL.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

Treaty between the United States of America and the Bois Forte Band of Chippewa Indians ; Concluded April 7, 1866 ; Ratification advised, with Amendment, April 26, 1866 ; Amendment accepted April 28, 1866 ; Proclaimed May 5, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

April 7, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and E. E. L. Taylor, Commissioners, on the part of the United States, and Gabeshcodaway or Going through the Prairie, Babawmadjeweshcang or Mountain Traveller, and others, chiefs, headmen, and warriors of the Bois Forte Band of Chippewa Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF A TREATY made and concluded at Washington, District of Columbia, this seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, party of the first part, by their Commissioners, D. N. Cooley, Commissioner of Indian Affairs, and E. E. L. Taylor, thereunto duly authorized, and the Bois Forte band of Chippewa Indians, parties of the second part, by the undersigned chiefs, headmen, and warriors of said bands, thereunto duly authorized.

Contracting parties.

ARTICLE I. The peace and friendship now existing between the United States and said Bois Forte bands of Indians shall be perpetual.

Peace and friendship.

ARTICLE II. In consideration of the agreements, stipulations, and undertakings to be performed by the United States, and hereinafter expressed, the Bois Forte bands of Chippewas have agreed to, and do hereby, cede and forever relinquish and surrender to the United States all their right, title, claim, and interest in and to all lands and territory heretofore claimed, held, or possessed by them, and lying east of the boundary line mentioned and established in and by the first article of the treaty made and concluded by and between the United States of the one part, and the Chippewas of Lake Superior and the Mississippi of the other part, on the 30th day of September, A. D. 1854, and more especially in and to all that portion of said territory heretofore claimed and occupied by them at and near Lake Vermillion as a reservation. The Bois Forte band of Chippewas in like mannner cede and relinquish forever to the United States all their claim, right, title, and interest in and to all lands and territory lying westwardly of said boundary line, or elsewhere within the limits of the United States.

Cession of lands to the United States.

Boundaries.

Vol. x. p. 1109.

ARTICLE III. In consideration of the foregoing cession and relinquishment, the United States agree to and will perform the stipulations, undertakings, and agreements following, that is to say : —

The United States to set apart a reservation.

1st. There shall be set apart within one year after the date of the ratification of this treaty, under the direction of the President of the

United States, within the Chippewa country, for the perpetual use and occupancy of said Bois Forte band of Chippewas, a tract of land of not less than one hundred thousand acres, the said location to include a lake known by the name of Netor As-sab-a-co-na, if, upon examination of the country by the agent sent by the President of the United States to select the said reservation, it is found practicable to include the said lake therein, and also one township of land on the Grand Fork river, at the mouth of Deer creek, if such location shall be found practicable.

The United States to erect shop, school-house, houses for chiefs, and other buildings;

2d. The United States will as soon as practicable after the setting apart of the tract of country first above mentioned, erect thereon without expense to said Indians, one blacksmith's shop, to cost not exceeding five hundred dollars; one school-house to cost not exceeding five hundred dollars; and eight houses for their chiefs, to cost not exceeding four hundred dollars each; and a building for an agency house and storehouse for the storage of goods and provisions, to cost not exceeding two thousand dollars.

to pay annuities for twenty years.

3d. The United States will expend annually for and in behalf of said Bois Forte band of Chippewas, for and during the term of twenty years from and after the ratification of this treaty, the several sums and for the purposes following, to wit: For the support of one blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith's shop, fifteen hundred dollars; for one school-teacher, and the necessary books and stationery for the school, eight hundred dollars, the chiefs in council to have the privilege of selecting, with the approval of the Secretary of the Interior, the religious denomination to which the said teacher shall belong; for instructions of the said Indians in farming, and the purchase of seeds, tools, &c., for that purpose, eight hundred dollars; and for annuity payments, the sum of eleven thousand dollars, three thousand five hundred dollars of which shall be paid to them in money per capita, one thousand dollars in provisions, ammunition, and tobacco, and six thousand five hundred dollars to be distributed to them in goods and other articles suited to their wants and condition.

Objects of annuities.

Payment of \$50,000 to Indians.
Amendment.
Post, p. 83.

ARTICLE IV. To enable the chiefs, headmen, and warriors now present to establish their people upon the new reservation, and to purchase useful articles and presents for their people, the United States agree to pay to them, upon the ratification of this treaty, the sum of fifty thousand dollars, to be expended under the direction of the Secretary of the Interior.

Grant of lands to certain persons for services.

ARTICLE V. In consideration of the services heretofore rendered to the said Indians by Francis Roussaire, senior, Francis Roussaire, jr., and Peter E. Bradshaw, it is hereby agreed that the said persons shall each have the right to select one hundred and sixty acres of land, not mineral lands, and to receive patents therefor from the United States; and for the like services to the Indians, the following-named persons, to wit: Peter Roy, Joseph Gurnoe, Francis Roy, Vincent Roy, Eustace Roussaire, and D. George Morrison shall each have the right to select eighty acres of land, not mineral lands, and to receive from the United States patents therefor.

Annuities to be paid upon the reservation, if, &c.

ARTICLE VI. It is further agreed that all payments of annuities to the Bois Forte band of Chippewas shall be made upon their reservation if, upon examination, it shall be found practicable to do so.

Inconsistent provisions of former treaties abrogated.

ARTICLE VII. It is agreed by and between the parties hereto that upon the ratification of this treaty all former treaties existing between them inconsistent herewith shall be, and the same are hereby, abrogated and made void to all intents and purposes; and the said Indians hereby relinquish any and all claims for arrears of payments claimed to be due under such treaties, or that are hereafter to fall due under the provisions of the same; except that as to the third clause of the 12th article of the treaty of Sept. 30th, 1854, providing for a blacksmith, smithshop, sup-

Part of treaty of Sept. 30, 1854,

plies, and instructions in farming, the same shall continue in full force and effect, but the benefits thereof shall be transferred to the Chippewas of Lake Superior.

ARTICLE VIII. The United States also agree to pay the necessary expenses of transportation and subsistence of the delegates who have visited Washington for the purpose of negotiating this treaty, not exceeding the sum of ten thousand dollars.

In testimony whereof, the undersigned, Commissioners on behalf of the United States, and the delegates on behalf of the Bois Forte band of Chippewas, have hereunto set their hands and seals the day and year first above written.

D. N. COOLEY, *Com'r of Ind. Affairs.* [L. s.]
E. E. L. TAYLOR, *Special Com'r.* [L. s.]

GABESHCODAWAY, or Going through the Prairie, his x mark. [L. s.]
BABAWMADJEWESHGANG, or Mountain Traveller, his x mark. [L. s.]
ADAWAWNEQUABENACE, or Twin-haired Bird, his x mark. [L. s.]
SAGWADACAMEGISHGANG, or He who Tries the Earth, his x mark. [L. s.]
NEONING, or The Four Fingers, his x mark. [L. s.]
WABAWGAMAWGAU, or The Tomahawk, his x mark. [L. s.]
GANAWAWBAMINA, or He who is Looked at, his x mark. [L. s.]
GAWNANDAWAWINZO, or Berry Hunter, his x mark. [L. s.]
ABETANG, or He who Inhabits. his x mark. [L. s.]

In presence of—

LUTHER E. WEBB, [L. s.]
U. S. Indian Agent for Chippewas, Lake Superior.
JOSEPH D. GURNOE, [L. s.]
U. S. Interpreter, Lake Superior.
J. C. RAMSEY. }
BENJ'N THOMPSON. } [L. s.]
PETER ROY. }
D. GEO. MORRISON. }
VINCENT ROY, Jr. }
W. H. WATSON. }

And whereas the said treaty, having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of April, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
April 26, 1866.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at Washington, District of Columbia, the seventh day of April, 1866, between the United States and the Bois Forte band of Chippewa Indians, with the following

AMENDMENT:

Article IV., line 4, strike out the word "fifty," and insert in lieu thereof the word *thirty*. *Ante*, p. 82.

Attest:

J. W. FORNEY, *Secretary*.

Amendment
accepted.

And whereas the foregoing amendment having been fully explained and interpreted to the chiefs, headmen, and warriors of the Bois Forte Band of Chippewa Indians whose names are subscribed to the writing hereto following, they did, on the twenty-eighth day of April, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendment in the words and figures following, to wit:—

Whereas the Senate of the United States has advised and consented to the ratification of the treaty made on the seventh day of April, 1866, with the Bois Forte band of Chippewa Indians, with the following amendment, to wit:—

“In article IV. of said treaty, line 4, strike out the word ‘fifty,’ and insert in lieu thereof the word *thirty*.”

Now, therefore, we, the chiefs, headmen, and warriors of the said Bois Forte band, duly authorized by our people, do hereby assent and agree to the said amendment above written, the same having been interpreted to us, and being fully understood by us.

Witness our hands and seals this 28th day of April, A. D. 1866, at Washington, D. C.

GABESHCODAWAY, his x mark.	[L. S.]
BABAWMADJEWESHGANG, his x mark.	[L. S.]
ADAWAWNNEQUABENACE, his x mark.	[L. S.]
GAGWADACAMEGISHGANG, his x mark.	[L. S.]
WABAWGAMAWGAU, his x mark.	[L. S.]
GANAWAWBAMINA, his x mark.	[L. S.]
GAWNANDAWAWINZO, his x mark.	[L. S.]
ABETANG, his x mark.	[L. S.]

Witness:—

JOSEPH D. GURNOE, [L. S.] *U. S. Interpreter.*
 D. N. COOLEY, [L. S.] *Com'r Ind. Affairs.*
 L. E. WEBB, *U. S. Indian Agent.*
 J. C. RAMSEY.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of April, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

In testimony whereof, I have signed my name, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington, this fifth day of May, in the year of our Lord one thousand eight hundred and sixty-six,
 [SEAL.] and of the Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Choctaw and Chickasaw Indians ; Concluded April 28, 1866 ; Ratification advised, with Amendments, June 28, 1866 ; Amendments accepted July 2, 1866 ; Proclaimed July 10, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

April 28, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Elijah Sells, and E. S. Parker, Commissioners, on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, Commissioners, on the part of the Choctaw nation of Indians, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, Commissioners, on the part of the Chickasaw nation of Indians, all of which Commissioners were duly authorized thereto, which treaty is in the words and figures following, to wit:—

Preamble.

ARTICLES OF AGREEMENT AND CONVENTION between the United States and the Choctaw and Chickasaw nations of Indians, made and concluded at the city of Washington the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, Special Commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, Commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, Commissioners on the part of the Chickasaws.

Contracting parties.

ARTICLE I. Permanent peace and friendship are hereby established between the United States and said nations; and the Choctaws and Chickasaws do hereby bind themselves respectively to use their influence and to make every exertion to induce Indians of the plains to maintain peaceful relations with each other, with other Indians, and with the United States.

Peace and friendship.

ARTICLE II. The Choctaws and Chickasaws hereby covenant and agree that henceforth neither slavery nor involuntary servitude, otherwise than in punishment of crime whereof the parties shall have been duly convicted, in accordance with laws applicable to all members of the particular nation, shall ever exist in said nations.

Slavery and involuntary servitude to cease.

ARTICLE III. The Choctaws and Chickasaws, in consideration of the sum of three hundred thousand dollars, hereby cede to the United States the territory west of the 98° west longitude, known as the leased district, provided that the said sum shall be invested and held by the United States, at an interest not less than five per cent, in trust for the said nations, until the legislatures of the Choctaw and Chickasaw nations respectively shall have made such laws, rules, and regulations as may be necessary to give all persons of African descent, resident in the said nations at the date of the treaty of Fort Smith, and their descendants, heretofore held in slavery among said nations, all the rights, privileges, and immunities, including the right of suffrage, of citizens of said

Cession of the leased district to the United States.

Purchase money to be invested by the United States and held in trust until, &c.

nations, except in the annuities, moneys, and public domain claimed by, or belonging to, said nations respectively; and also to give to such persons who were residents as aforesaid, and their descendants, forty acres each of the land of said nations on the same terms as the Choctaws and Chickasaws, to be selected on the survey of said land, after the Choctaws and Chickasaws and Kansas Indians have made their selections as herein provided; and immediately on the enactment of such laws, rules, and regulations, the said sum of three hundred thousand dollars shall be paid to the said Choctaw and Chickasaw nations in the proportion of three fourths to the former and one fourth to the latter, — less such sum, at the rate of one hundred dollars per capita, as shall be sufficient to pay such persons of African descent before referred to as within ninety days after the passage of such laws, rules, and regulations shall elect to remove and actually remove from the said nations respectively. And should the said laws, rules, and regulations not be made by the legislatures of the said nations respectively, within two years from the ratification of this treaty, then the said sum of three hundred thousand dollars shall cease to be held in trust for the said Choctaw and Chickasaw nations, and be held for the use and benefit of such of said persons of African descent as the United States shall remove from the said territory in such manner as the United States shall deem proper, — the United States agreeing, within ninety days from the expiration of the said two years, to remove from said nations all such persons of African descent as may be willing to remove; those remaining or returning after having been removed from said nations to have no benefit of said sum of three hundred thousand dollars, or any part thereof, but shall be upon the same footing as other citizens of the United States in the said nations.

Rights of negroes and freedmen.

ARTICLE IV. The said nations further agree that all negroes, not otherwise disqualified or disabled, shall be competent witnesses in all civil and criminal suits and proceedings in the Choctaw and Chickasaw courts, any law to the contrary notwithstanding; and they fully recognize the right of the freedmen to a fair remuneration on reasonable and equitable contracts for their labor, which the law should aid them to enforce. And they agree, on the part of their respective nations, that all laws shall be equal in their operation upon Choctaws, Chickasaws, and negroes, and that no distinction affecting the latter shall at any time be made, and that they shall be treated with kindness and be protected against injury; and they further agree, that while the said freedmen, now in the Choctaw and Chickasaw nations, remain in said nations, respectively, they shall be entitled to as much land as they may cultivate for the support of themselves and families, in cases where they do not support themselves and families by hiring, not interfering with existing improvements without the consent of the occupant, it being understood that in the event of the making of the laws, rules, and regulations aforesaid, the forty acres aforesaid shall stand in place of the land cultivated as last aforesaid.

Amnesty for past offences.

ARTICLE V. A general amnesty of all past offences against the laws of the United States, committed before the signing of this treaty by any member of the Choctaw or Chickasaw nations, is hereby declared; and the United States will especially request the States of Missouri, Kansas, Arkansas, and Texas to grant the like amnesty as to all offences committed by any member of the Choctaw or Chickasaw nation. And the Choctaws and Chickasaws, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offences against their respective governments, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who may have remained friendly to the United States, but they shall enjoy equal privileges with other members of said tribes, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

Amendment.
Post, p. 98.

ARTICLE VI. The Choctaws and Chickasaws hereby grant a right of way through their lands to any company or companies which shall be duly authorized by Congress, or by the legislatures of said nations, respectively, and which shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad through the Choctaw and Chickasaw nations from the north to the south thereof, and from the east to the west side thereof, in accordance with the provisions of the 18th article of the treaty of June twenty-second, one thousand eight hundred and fifty-five, which provides that for any property taken or destroyed in the construction thereof full compensation shall be made to the party or parties injured, to be ascertained and determined in such manner as the President of the United States shall direct. But such railroad company or companies, with all its or their agents and employes shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose. And it is also stipulated and agreed that the nation through which the road or roads aforesaid shall pass may subscribe to the stock of the particular company or companies such amount or amounts as they may be able to pay for in alternate sections of unoccupied lands for a space of six miles on each side of said road or roads, at a price per acre to be agreed upon between said Choctaw and Chickasaw nations and the said company or companies, subject to the approval of the President of the United States: *Provided, however,* That said land, thus subscribed, shall not be sold, or demised, or occupied by any one not a citizen of the Choctaw or Chickasaw nations, according to their laws and recognized usages: *Provided,* That the officers, servants, and employes of such companies necessary to the construction and management of said road or roads shall not be excluded from such occupancy as their respective functions may require, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior: *And provided also,* That the stock thus subscribed by either of said nations shall have the force and effect of a first mortgage bond on all that part of said road, appurtenances, and equipments situated and used within said nations respectively, and shall be a perpetual lien on the same, and the said nations shall have the right, from year to year, to elect to receive their equitable proportion of declared dividends of profits on their said stock, or interest on the par value at the rate of six per cent per annum.

2. And it is further declared, in this connection, that as fast as sections of twenty miles in length are completed, with the rails laid ready for use, with all water and other stations necessary to the use thereof, as a first class road, the said company or companies shall become entitled to patents for the alternate sections aforesaid, and may proceed to dispose thereof in the manner herein provided for, subject to the approval of the Secretary of the Interior.

3. And it is further declared, also, in case of one or more of said alternate sections being occupied by any member or members of said nations respectively, so that the same cannot be transferred to the said company or companies, that the said nation or nations, respectively, may select any unoccupied section or sections, as near as circumstances will permit, to the said width of six miles on each side of said road or roads, and convey the same as an equivalent for the section or sections so occupied as aforesaid.

ARTICLE VII. The Choctaws and Chickasaws agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian territory: *Provided, however,* Such legislation shall not in any wise interfere with or annul their present tribal organization, or their respective legislatures or judiciaries,

Right of way through their country for railroads.

Vol. xi. p. 614.

Damages.

Companies subject to laws, &c.

Indians may subscribe to stock.

Provisos.

When companies to be entitled to patents for the lands.

Other lands may be selected in lieu of occupied sections.

Legislation by Congress for rights of persons and property.

or the rights, laws, privileges, or customs of the Choctaws and Chickasaw nations respectively.

ARTICLE VIII. The Choctaws and Chickasaw also agree that a council, consisting of delegates elected by each nation or tribe lawfully resident within the Indian territory, may be annually convened in said territory to be organized as follows:—

A council to be convened annually.

Census of the tribes to be taken.

1. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said assembly, a census of each tribe, lawfully resident in said territory, shall be taken, under the direction of the superintendent of Indian affairs, by competent persons, to be appointed by him, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

Council to consist of whom

2. The council shall consist of one member from each tribe or nation whose population shall exceed five hundred, and an additional member for each one thousand Indians, native or adopted, or each fraction of a thousand greater than five hundred being members of any tribe lawfully resident in said territory, and shall be selected by the tribes or nations respectively who may assent to the establishment of said general assembly; and if none should be thus formally selected by any nation or tribe, it shall be represented in said general assembly by the chief or chiefs and headmen of said tribes, to be taken in the order of their rank as recognized in tribal usage in the number and proportions above indicated.

Members to which each tribe is entitled.

3. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article; and the persons so to represent the said tribes shall meet at such time and place as he shall designate, but thereafter the time and place of the sessions of the general assembly shall be determined by itself: *Provided*, That no session in any one year shall exceed the term of thirty days, and provided that the special sessions may be called whenever, in the judgment of the Secretary of the Interior, the interests of said tribes shall require it.

Time and place of meeting.

Length of session and special sessions.

Power of general assembly.

4. The general assembly shall have power to legislate upon all subjects and matters pertaining to the intercourse and relations of the Indian tribes and nations resident in the said territory, the arrest and extradition of criminals escaping from one tribe to another, the administration of justice between members of the several tribes of the said territory, and persons other than Indians and members of said tribes or nations, the construction of works of internal improvement, and the common defence and safety of the nations of the said territory. All laws enacted by said council shall take effect at the times therein provided, unless suspended by the Secretary of the Interior or the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States or the laws of Congress or existing treaty stipulations with the United States; nor shall said council legislate upon matters pertaining to the legislative, judicial, or other organization, laws, or customs of the several tribes or nations except as herein provided for.

President of council.

5. Said council shall be presided over by the superintendent of Indian affairs, or, in case of his absence from any cause, the duties of the superintendent enumerated in this article shall be performed by such person as the Secretary of the Interior shall indicate.

Secretary.

Duty and pay.

6. The Secretary of the Interior shall appoint a secretary of said council, whose duty it shall be to keep an accurate record of all the proceedings of said council, and to transmit a true copy thereof, duly certified by the superintendent of Indian affairs, to the Secretary of the Interior immediately after the sessions of said council shall terminate. He shall be paid five hundred dollars, as an annual salary, by the United States.

7. The members of the said council shall be paid by the United States

four dollars per diem while in actual attendance thereon, and four dollars mileage for every twenty miles going and returning therefrom by the most direct route, to be certified by the secretary of said council and the presiding officer.

Pay and mileage of members.

8. The Choctaws and Chickasaws also agree that a court or courts may be established in said territory with such jurisdiction and organization as Congress may prescribe: *Provided*, That the same shall not interfere with the local judiciary of either of said nations.

Courts may be established.

9. Whenever Congress shall authorize the appointment of a delegate from said territory, it shall be the province of said council to elect one from among the nations represented in said council.

Delegate from the territory.

10. And it is further agreed that the superintendent of Indian affairs shall be the executive of the said territory, with the title of "governor of the Territory of Oklahoma," and that there shall be a secretary of the said territory, to be appointed by the said superintendent; that the duty of the said governor, in addition to those already imposed on the superintendent of Indian affairs, shall be such as properly belong to an executive officer charged with the execution of the laws, which the said council is authorized to enact under the provisions of this treaty; and that for this purpose he shall have authority to appoint a marshal of said territory and an interpreter; the said marshal to appoint such deputies, to be paid by fees, as may be required to aid him in the execution of his proper functions; and be the marshal of the principal court of said territory that may be established under the provisions of this treaty.

Superintendent of Indian affairs to be the executive.

Title and duties.

Marshal.

11. And the said marshal and the said secretary shall each be entitled to a salary of five hundred dollars per annum, to be paid by the United States, and such fees in addition thereto as shall be established by said governor, with the approbation of the Secretary of the Interior; it being understood that the said fee lists may at any time be corrected and altered by the Secretary of the Interior, as the experience of the system proposed herein to be established shall show to be necessary, and shall in no case exceed the fees paid to marshals of the United States for similar services.

Salary of marshal and secretary.

The salary of the interpreter shall be five hundred dollars, to be paid in like manner by the United States.

Salary of interpreter.

12. And the United States agree that in the appointment of marshals and deputies, preference, qualifications being equal, shall be given to competent members of the said nations, the object being to create a laudable ambition to acquire the experience necessary for political offices of importance in the respective nations.

Appointment of marshals and deputies.

13. And whereas it is desired by the said Choctaw and Chickasaw nations that the said council should consist of an upper and lower house, it is hereby agreed that whenever a majority of the tribes or nations represented in said council shall desire the same, or the Congress of the United States shall so prescribe, there shall be, in addition to the council now provided for, and which shall then constitute the lower house, an upper house, consisting of one member from each tribe entitled to representation in the council now provided for—the relations of the two houses to each other being such as prevail in the States of the United States; each house being authorized to choose its presiding officer and clerk to perform the duties appropriate to such offices; and it being the duty, in addition, of the clerks of each house to make out and transmit to the territorial secretary fair copies of the proceedings of the respective houses immediately after their respective sessions, which copies shall be dealt with by the said secretary as is now provided in the case of copies of the proceedings of the council mentioned in this act, and the said clerks shall each be entitled to the same per diem as members of the respective houses, and the presiding officers to double that sum.

Provision for an upper house of the council.

ARTICLE IX. Such sums of money as have, by virtue of treaties existing in the year eighteen hundred and sixty-one, been invested for the

Certain sums invested to remain so invested.

Amendment.
Post, p. 98.

Treaty obligations, &c. reaffirmed, and payment of annuities to be renewed.

Survey and division of lands in severalty.

Land office established at Boggy Depot.

Maps of surveys to exhibit actual occupancies, &c.

Notice to parties interested to examine the maps.

purposes of education, shall remain so invested, and the interest thereof, including any arrears which may have accrued, shall be applied for the same purposes, in such manner as shall be designated by the legislative authorities of the Choctaw and Chickasaw nations respectively.

ARTICLE X. The United States reaffirms all obligations arising out of treaty stipulations or acts of legislation with regard to the Choctaw and Chickasaw nations, entered into prior to the late rebellion, and in force at that time, not inconsistent herewith; and further agrees to renew the payment of all annuities and others moneys accruing under such treaty stipulations and acts of legislation, from and after the close of the fiscal year ending on the thirtieth of June, in the year eighteen hundred and sixty-six.

ARTICLE XI. Whereas the land occupied by the Choctaw and Chickasaw nations, and described in the treaty between the United States and said nations, of June twenty-second, eighteen hundred and fifty-five, is now held by the members of said nations in common, under the provisions of the said treaty; and whereas it is believed that the holding of said land in severalty will promote the general civilization of said nations, and tend to advance their permanent welfare and the best interests of their individual members, it is hereby agreed that, should the Choctaw and Chickasaw people, through their respective legislative councils, agree to the survey and dividing their land on the system of the United States, the land aforesaid east of the ninety-eighth degree of west longitude shall be, in view of the arrangements hereinafter mentioned, surveyed and laid off in ranges, townships, sections, and parts of sections; and that for the purpose of facilitating such surveys and for the settlement and distribution of said land as hereinafter provided, there shall be established at Boggy Depot, in the Choctaw territory, a land office; and that, in making the said surveys and conducting the business of the said office, including the appointment of all necessary agents and surveyors, the same system shall be pursued which has heretofore governed in respect to the public lands of the United States, it being understood that the said surveys shall be made at the cost of the United States and by their agents and surveyors, as in the case of their own public lands, and that the officers and employes shall receive the same compensation as is paid to officers and employes in the land offices of the United States in Kansas.

ARTICLE XII. The maps of said surveys shall exhibit, as far as practicable, the outlines of the actual occupancy of members of the said nations, respectively; and when they are completed, shall be returned to the said land office at Boggy Depot for inspection by all parties interested, when notice for ninety days shall be given of such return, in such manner as the legislative authorities of the said nations, respectively, shall prescribe, or, in the event of said authorities failing to give such notice in a reasonable time, in such manner as the register of said land office shall prescribe, calling upon all parties interested to examine said maps to the end that errors, if any, in the location of such occupancies, may be corrected.

ARTICLE XIII. The notice required in the above article shall be given, not only in the Choctaw and Chickasaw nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw nations, may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for him or herself, or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide resident in the said nation within five years from the time of selection; and should the said absentee fail to remove into said nation, and occupy and commence an improvement on the land selected within the time aforesaid, the said selection shall be can-

celled, and the land shall thereafter be discharged from all claim on account thereof.

ARTICLE XIV. At the expiration of the ninety days aforesaid the legislative authorities of the said nations, respectively, shall have the right to select one quarter-section of land in each of the counties of said nations respectively, in trust for the establishment of seats of justice therein, and also as many quarter-sections as the said legislative councils may deem proper for the permanent endowment of schools, seminaries, and colleges in said nation, provided such selection shall not embrace or interfere with any improvement in the actual occupation of any member of the particular nation without his consent; and provided the proceeds of sale of the quarter-sections selected for seats of justice shall be appropriated for the erection or improvement of public buildings in the county in which it is located.

Lands may be selected for seats of justice, for schools, seminaries and colleges.

ARTICLE XV. At the expiration of the ninety days' notice aforesaid, the selection which is to change the tenure of the land in the Choctaw and Chickasaw nations from a holding in common to a holding in severalty shall take place, when every Choctaw and Chickasaw shall have the right to one quarter-section of land, whether male or female, adult or minor, and if in actual possession or occupancy of land improved or cultivated by him or her, shall have a prior right to the quarter-section in which his or her improvement lies; and every infant shall have selected for him or her a quarter-section of land in such location as the father of such infant, if there be a father living, and if no father living, then the mother or guardian, and should there be neither father, mother, nor guardian, then as the probate judge of the county, acting for the best interest of such infant, shall select.

Each Indian to have a right to one quarter-section of land.

Actual occupant.

Infants.

ARTICLE XVI. Should an actual occupant of land desire, at any time prior to the commencement of the surveys aforesaid, to abandon his improvement, and select and improve other land, so as to obtain the prior right of selection thereof, he or she shall be at liberty to do so; in which event the improvement so abandoned shall be open to selection by other parties: *Provided*, That nothing herein contained shall authorize the multiplication of improvements so as to increase the quantity of land beyond what a party would be entitled to at the date of this treaty.

Actual occupant, prior to surveys, may abandon his improvements and select other land.

Proviso.

ARTICLE XVII. No selection to be made under this treaty shall be permitted to deprive or interfere with the continued occupation, by the missionaries established in the respective nations, of their several missionary establishments; it being the wish of the parties hereto to promote and foster an influence so largely conducive to civilization and refinement. Should any missionary who has been engaged in missionary labor for five consecutive years before the date of this treaty in the said nations, or either of them, or three consecutive years prior to the late rebellion, and who, if absent from the said nations, may desire to return, wish to select a quarter-section of land with a view to a permanent home for himself and family, he shall have the privilege of doing so, provided no selection shall include any public buildings, schools or seminary; and a quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect buildings within the Choctaw and Chickasaw country for missionary or educational purposes; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of, except with the consent of the legislatures of said nations respectively and approval of the Secretary of the Interior; and whenever such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the

Occupation by missionaries of missionary establishments not to be interfered with.

Rights of certain missionaries.

Choctaws and Chickasaws, and such other persons as may hereafter become members of their nations, according to their laws, customs, and usages.

Rights of
parents in select-
ing land for
children.

ARTICLE XVIII. In making a selection for children the parent shall have a prior right to select land adjacent to his own improvements or selection, provided such selection shall be made within thirty days from the time at which selections under this treaty commence.

Mode of
selecting lands.

ARTICLE XIX. The manner of selecting as aforesaid shall be by an entry with the register of the land office, and all selections shall be made to conform to the legal subdivisions of the said lands as shown by the surveys aforesaid on the maps aforesaid; it being understood that nothing herein contained is to be construed to confine a party selecting to one section, but he may take contiguous parts of sections by legal subdivisions in different sections, not exceeding together a quarter-section.

Proof of im-
provements to
be made prior to
entries.

ARTICLE XX. Prior to any entries being made under the foregoing provisions, proof of improvements, or actual cultivation, as well as the number of persons for whom a parent or guardian, or probate judge of the county proposes to select and of their right to select, and of his or her authority to select for them, shall be made to the register and receiver of the land office, under regulations to be prescribed by the Secretary of the Interior.

Sections six-
teen and thirty-
six to be reserved
for schools.

Proviso.

ARTICLE XXI. In every township the sections of land numbered sixteen and thirty-six shall be reserved for the support of schools in said township: *Provided*, That if the same has been already occupied by a party or parties having the right to select it, or it shall be so sterile as to be unavailable, the legislative authorities of the particular nations shall have the right to select such other unoccupied sections as they may think proper.

Military posts
and Indian agen-
cies.

ARTICLE XXII. The right of selection hereby given shall not authorize the selection of any land required by the United States as a military post, or Indian agency, not exceeding one mile square, which, when abandoned, shall revert to the nation in which the land lies.

Names of per-
sons for whom
selections are
made to be in
books of register.

ARTICLE XXIII. The register of the land office shall inscribe in a suitable book or books, in alphabetical order, the name of every individual for whom a selection shall be made, his or her age, and a description of the land selected.

Town lots.

ARTICLE XXIV. Whereas it may be difficult to give to each occupant of an improvement a quarter-section of land, or even a smaller subdivision, which shall include such improvement, in consequence of such improvements lying in towns, villages, or hamlets, the legislative authorities of the respective nations shall have power, where, in their discretion, they think it expedient, to lay off into town lots any section or part of a section so occupied, to which lots the actual occupants, being citizens of the respective nations, shall have pre-emptive right, and, upon paying into the treasury of the particular nation the price of the land as fixed by the respective legislatures, exclusive of the value of said improvement, shall receive a conveyance thereof. Such occupant shall not be prejudiced thereby in his right to his selection elsewhere. The town lots which may be unoccupied shall be disposed of for the benefit of the particular nation, as the legislative authorities may direct from time to time. When the number of occupants of the same quarter-section shall not be such as to authorize the legislative authorities to lay out the same, or any part thereof, into town lots, they may make such regulations for the disposition thereof as they may deem proper, either by subdivision of the same, so as to accommodate the actual occupants, or by giving the right of prior choice to the first occupant in point of time, upon paying the others for their improvements, to be valued in such way as the legislative authorities shall prescribe, or otherwise. All occupants retaining their lots under this section, and desiring, in addition, to make a selection, must pay for the lots so retained, as in the case of town lots. And any

Choctaw or Chickasaw who may desire to select a sectional division other than that on which his homestead is, without abandoning the latter, shall have the right to purchase the homestead sectional division at such price as the respective legislatures may prescribe.

ARTICLE XXV. During ninety days from the expiration of the ninety days' notice aforesaid, the Choctaws and Chickasaws shall have the exclusive right to make selections, as aforesaid, and at the end of that time the several parties shall be entitled to patents for their respective selections, to be issued by the President of the United States, and countersigned by the chief executive officer of the nation in which the land lies, and recorded in the records of the executive office of the particular nation; and copies of the said patents, under seal, shall be evidence in any court of law or equity.

When patents to issue for selected lands.

ARTICLE XXVI. The right here given to Choctaws and Chickasaws, respectively, shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations, or who may hereafter become such.

Citizens by adoption or intermarriage to have same rights.

ARTICLE XXVII. In the event of disputes arising in regard to the rights of parties to select particular quarter-sections or other divisions of said land, or in regard to the adjustment of boundaries, so as to make them conform to legal divisions and subdivisions such disputes shall be settled by the register of the land office and the chief executive officer of the nation in which the land lies, in a summary way, after hearing the parties; and if said register and chief officer cannot agree, the two to call in a third party, who shall constitute a third referee, the decision of any two of whom shall be final, without appeal.

Disputes as to selections of lands, how to be settled.

ARTICLE XXVIII. Nothing contained in any law of either of the said nations shall prevent parties entitled to make selections contiguous to each other; and the Choctaw and Chickasaw nations hereby agree to repeal all laws inconsistent with this provision.

Contiguous selections.

ARTICLE XXIX. Selections made under this treaty shall, to the extent of one quarter-section, including the homestead or dwelling, be inalienable for the period of twenty-one years from the date of such selection, and upon the death of the party in possession shall descend according to the laws of the nation where the land lies; and in the event of his or her death without heirs, the said quarter-section shall escheat to and become the property of the nation.

Selections to be inalienable, &c.

ARTICLE XXX. The Choctaw and Chickasaw nations will receive into their respective districts east of the ninety-eighth degree of west longitude, in the proportion of one fourth in the Chickasaw and three fourths in the Choctaw nation, civilized Indians from the tribes known by the general name of the Kansas Indians, being Indians to the north of the Indian territory, not exceeding ten thousand in number, who shall have in the Choctaw and Chickasaw nations, respectively, the same rights as the Choctaws and Chickasaws, of whom they shall be the fellow-citizens, governed by the same laws, and enjoying the same privileges, with the exception of the right to participate in the Choctaw and Chickasaw annuities and other moneys, and in the public domain, should the same or the proceeds thereof be divided per capita among said Choctaws and Chickasaws, and among others the right to select land as herein provided for Choctaws and Chickasaws, after the expiration of the ninety days during which the selections of land are to be made, as aforesaid, by said Choctaws and Chickasaws; and the Choctaw and Chickasaw nations pledge themselves to treat the said Kansas Indians in all respects with kindness and forbearance, aiding them in good faith to establish themselves in their new homes, and to respect all their customs and usages not inconsistent with the constitution and laws of the Choctaw and Chickasaw nations respectively. In making selections after the advent of the Indians and the actual occupancy of land in said nation, such occupancy

Not over 10,000 Kansas Indians will be received into district east of, &c. who shall have same rights, &c.

shall have the same effect in their behalf as the occupancies of Choctaws and Chickasaws; and after the said Choctaws and Chickasaws have made their selections as aforesaid, the said persons of African descent mentioned in the third article of the treaty, shall make their selection as therein provided, in the event of the making of the laws, rules, and regulations aforesaid, after the expiration of ninety days from the date at which the Kansas Indians are to make their selections as therein provided, and the actual occupancy of such persons of African descent shall have the same effect in their behalf as the occupancies of the Choctaws and Chickasaws.

Such Kansas Indians may come at once.

ARTICLE XXXI. And whereas some time must necessarily elapse before the surveys, maps, and selections herein provided for can be completed so as to permit the said Kansas Indians to make their selections in their order, during which time the United States may desire to remove the said Indians from their present abiding places, it is hereby agreed that the said Indians may at once come into the Choctaw and Chickasaw nations, settling themselves temporarily as citizens of the said nations, respectively, upon such land as suits them and is not already occupied.

Documents in land offices to be given to Choctaws and Chickasaws in two years.

ARTICLE XXXII. At the expiration of two years, or sooner, if the President of the United States shall so direct, from the completion of the surveys and maps aforesaid, the officers of the land offices aforesaid shall deliver to the executive departments of the Choctaw and Chickasaw nations, respectively, all such documents as may be necessary to elucidate the land title as settled according to this treaty, and forward copies thereof, with the field-notes, records, and other papers pertaining to said titles, to the commissioner of the general land office; and thereafter grants of land and patents therefor shall be issued in such manner as the legislative authorities of said nations may provide for all the unselected portions of the Choctaw and Chickasaw districts as defined by the treaty of June twenty-second, eighteen hundred and fifty-five.

Proceedings afterwards.

Selected lands to be held in severalty, and the unselected in common.

ARTICLE XXXIII. All lands selected as herein provided shall thereafter be held in severalty by the respective parties, and the unselected land shall be the common property of the Choctaw and Chickasaw nations, in their corporate capacities, subject to the joint control of their legislative authorities.

Those prevented from selecting in ninety days may select afterwards.

ARTICLE XXXIV. Should any Choctaw or Chickasaw be prevented from selecting for him or herself during the *the* ninety days aforesaid, the failure to do so shall not authorize another to select the quarter-section containing his improvement, but he may at any time make his selection thereof, subject to having his boundaries made to conform to legal divisions as aforesaid.

Selections after transfer of land records.

ARTICLE XXXV. Should the selections aforesaid not be made before the transfer of the land records to the executive authorities of said nations, respectively, they shall be made according to such regulations as the legislative authorities of the two nations, respectively, may prescribe, to the end that full justice and equity may be done to the citizens of the respective territories.

Selected land abandoned for seven years, except, &c. may be rented, &c.

ARTICLE XXXVI. Should any land that has been selected under the provisions of this treaty be abandoned and left uncultivated for the space of seven years by the party selecting the same, or his heirs, except in the case of infants under the age of twenty-one years, or married women, or persons non compos mentis, the legislative authorities of the nation where such land lies may either rent the same for the benefit of those interested, or dispose of the same otherwise for their benefit, and may pass all laws necessary to give effect to this provision.

Payment by the United States for lands selected by other Indians.

ARTICLE XXXVII. In consideration of the right of selection heretofore accorded to certain Indians other than the Choctaws and Chickasaws, the United States agree to pay to the Choctaw and Chickasaw nations, out of the funds of Indians removing into said nations respectively, under the provisions of this treaty, such sum as may be fixed by the

legislatures of said nations, not exceeding one dollar per acre, to be divided between the said nations in the proportion of one fourth to the Chickasaw nation, and three fourths to the Choctaw nation, with the understanding that at the expiration of twelve months the actual number of said immigrating Indians shall be ascertained, and the amount paid that may be actually due at the rate aforesaid; and should still further immigrations take place from among said Kansas Indians, still further payments shall be made accordingly from time to time.

ARTICLE XXXVIII. Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw nation, or who has been adopted by the legislative authorities, is to be deemed a member of said nation, and shall be subject to the laws of the Choctaw and Chickasaw nations according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws in all respects as though he was a native Choctaw or Chickasaw.

White persons marrying Indians and residing in the nation, or adopted, to be members of the nation and subject to its laws.

ARTICLE XXXIX. No person shall be licensed to trade with the Choctaws or Chickasaws except by the agent, with the advice and consent of the legislative authorities of the nation he may propose to trade in; but no license shall be required to authorize any member of the Choctaw or Chickasaw nations to trade in the Choctaw or Chickasaw country who is authorized by the proper authority of the nation, nor to authorize Choctaws or Chickasaws to sell flour, meal, meat, fruit, and other provisions, stock, wagons, agricultural implements, or tools brought from the United States into the said country.

Licenses to trade.

Amendment.
Post, p. 98.

ARTICLE XL. All restrictions contained in any treaty heretofore made, or in any regulation of the United States upon the sale or other disposition of personal chattel property by Choctaws or Chickasaws, are hereby removed.

Treaty restrictions upon sales of personal property removed.

ARTICLE XLI. All persons who are members of the Choctaw or Chickasaw nations, and are not otherwise disqualified or disabled, shall hereafter be competent witnesses in all civil and criminal suits and proceedings in any courts of the United States, any law to the contrary notwithstanding.

Witnesses.

ARTICLE XLII. The Choctaw and Chickasaw nations shall deliver up persons accused of crime against the United States, or any of them, who may be found within their limits, on the requisition of the governor of any State, or of the United States.

Surrender of fugitives from justice.

Amendment.
Post, p. 98.

ARTICLE XLIII. The United States promise and agree that no white person, except officers, agents, and employes of the government, and of any internal improvement company, or persons travelling through, or temporarily sojourning in, the said nations, or either of them, shall be permitted to go into said territory, unless formally incorporated and naturalized by the joint action of the authorities of both nations into one of the said nations of Choctaws and Chickasaws, according to their laws, customs, or usages; but this article is not to be construed to affect parties heretofore adopted, or to prevent the employment temporarily of white persons who are teachers, mechanics, or skilled in agriculture, or to prevent the legislative authorities of the respective nations from authorizing such works of internal improvement as they may deem essential to the welfare and prosperity of the community, or be taken to interfere with or invalidate any action which has heretofore been had in this connection by either of the said nations.

No white person except, &c. to be permitted to go into said territory, unless, &c.

ARTICLE XLIV. Post offices shall be established and maintained by the United States at convenient places in the Choctaw and Chickasaw nations, to and from which the mails shall be carried at reasonable intervals, at the rates of postage prevailing in the United States.

Post offices and mails.

ARTICLE XLV. All the rights, privileges, and immunities heretofore possessed by said nations or individuals thereof, or to which they were entitled under the treaties and legislation heretofore made and had

Former rights and immunities of the Indians to remain in force.

in connection with them, shall be, and are hereby declared to be, in full force, so far as they are consistent with the provisions of this treaty.

Money due
the Indians un-
der this treaty,
how to be paid.

ART[ICLE] XLVI. Of the moneys stipulated to be paid to the Choctaws and Chickasaws under this treaty for the cession of the leased district, and the admission of the Kansas Indians among them, the sum of one hundred and fifty thousand dollars shall be advanced and paid to the Choctaws, and fifty thousand dollars to the Chickasaws, through their respective treasurers, as soon as practicable after the ratification of this treaty, to be repaid out of said moneys or any other moneys of said nations in the hands of the United States; the residue, not affected by any provision of this treaty, to remain in the Treasury of the United States at an annual interest of not less than five per cent, no part of which shall be paid out as annuity, but shall be annually paid to the treasurer of said nations, respectively, to be regularly and judiciously applied, under the direction of their respective legislative councils, to the support of their government, the purposes of education, and such other objects as may be best calculated to promote and advance the welfare and happiness of said nations and their people respectively.

Amendment.
Post, p. 98.

After survey
and assignment
of the lands in
severalty, annu-
ities and funds
to be capitalized,
&c.;

ART[ICLE] XLVII. As soon as practicable after the lands shall have been surveyed and assigned to the Choctaws and Chickasaws in severalty as herein provided, upon application of their respective legislative councils, and with the assent of the President of the United States, all the annuities and funds invested and held in trust by the United States for the benefit of said nations respectively shall be capitalized or converted into money, as the case may be; and the aggregate amounts thereof belonging to each nation shall be equally divided and paid per capita to the individuals thereof respectively, to aid and assist them in improving their homesteads and increasing or acquiring flocks and herds, and thus encourage them to make proper efforts to maintain successfully the new relations which the holding of their lands in severalty will involve: *Provided, nevertheless*, That there shall be retained by the United States such sum as the President shall deem sufficient of the said moneys to be invested, that the interest thereon may be sufficient to defray the expenses of the government of said nations respectively, together with a judicious system of education, until these objects can be provided for by a proper system of taxation; and whenever this shall be done to the satisfaction of the President of the United States, the moneys so retained shall be divided in the manner and for the purpose above mentioned.

to be divided
per capita.

Certain sums
may be retained.

Payment of
\$25,000 to com-
missioners of
each nation for
incidental ex-
penses.

ART[ICLE] XLVIII. Immediately after the ratification of this treaty there shall be paid, out of the funds of the Choctaws and Chickasaws in the hands of the United States, twenty-five thousand dollars to the Choctaw and twenty-five thousand dollars to the Chickasaw commissioners, to enable them to discharge obligations incurred by them for various incidental and other expenses to which they have been subjected, and for which they are now indebted.

Commission to
settle damages
of loyal Indians
driven from
their homes.

ART[ICLE] XLIX. And it is further agreed that a commission, to consist of a person or persons to be appointed by the President of the United States, shall be appointed immediately on the ratification of this treaty, who shall take into consideration and determine the claim of such Choctaws and Chickasaws as allege that they have been driven during the late rebellion from their homes in the Choctaw [and Chickasaw] nations on account of their adhesion to the United States, for damages, with power to make such award as may be consistent with equity and good conscience, taking into view all circumstances, whose report, when ratified by the Secretary of the Interior, shall be final, and authorize the payment of the amount from any moneys of said nations in the hands of the United States as the said commission may award.

Amendment.
Post, p. 98.

Commission
to determine the
claims of loyal

ART[ICLE] L. Whereas Joseph G. Heald and Reuben Wright, of Massachusetts, were licensed traders in the Choctaw country at the com-

mencement of the rebellion, and claim to have sustained large losses on account of said rebellion, by the use of their property by said nation, and that large sums of money are due them for goods and property taken, or sold to the members of said nation, and money advanced to said nation; and whereas other loyal citizens of the United States may have just claims of the same character: It is hereby agreed and stipulated that the President of the United States shall, within three months from the ratification of this treaty, appoint a commission, to consist of one or more discreet persons, to investigate said claims, and fully examine the same; and such sum or sums of money as shall by the report of said commission, approved by the Secretary of the Interior, be found due to such persons, not exceeding ninety thousand dollars, shall be paid by the United States to the persons entitled thereto, out of any money belonging to said nation in the possession of the United States: *Provided*, That no claim for goods or property of any kind shall be allowed or paid, in whole or part, which shall have been used by said nation or any member thereof in aid of the rebellion, with the consent of said claimants: *Provided also*, That if the aggregate of said claims thus allowed and approved shall exceed said sum of ninety thousand dollars, then that sum shall be applied pro rata in payment of the claims so allowed.

citizens of the United States for damages.

Amendment.
Post, p. 98.

Provisos.

ART[ICLE] LI. It is further agreed that all treaties and parts of treaties inconsistent herewith be, and the same are hereby, declared null and void.

Inconsistent treaty provisions declared null.

In testimony whereof, the said Dennis N. Cooley, Elijah Sells, and E. S. Parker, commissioners in behalf of the United States, and the said commissioners on behalf of the Choctaw and Chickasaw nations, have hereunto set their hands and seals the day and year first above written.

D. N. COOLEY, *Com'r Ind. Affrs*, [SEAL.]
ELIJAH SELLS, *Sup't Ind Aff.*, [SEAL.]
E. S. PARKER, *Spl. Com'r*, [SEAL.]
Commissioners for U. S.

ALFRED WADE, [SEAL.]
ALLEN WRIGHT, [SEAL.]
JAMES RILEY, [SEAL.]
JOHN PAGE, [SEAL.]

Choctaw Commissioners.

WINCHESTER COLBERT, [SEAL.]
his
EDMUND x PICKENS, [SEAL.]
mark
HOLMES COLBERT, [SEAL.]
COLBERT CARTER, [SEAL.]
ROBERT H. LOVE, [SEAL.]

Chickasaw Commissioners.

CAMPBELL LEFLORE,
Secretary of Choctaw Delegation.
E. S. MITCHELL,
Sec[re]tary of Chickasaw Delegation.

In presence of —

JNO. H. B. LATROBE,
P. P. PITCHLYNN,
Principal Chief Choctaws.
DOUGLAS H. COOPER,
J. HARLAN,
CHARLES E. MIX.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on

Ratification with amendments.

the twenty-eighth day of June, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution, with amendments, in the words and figures following, to wit : —

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
June 28, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention between the United States and the Choctaw and Chickasaw nations of Indians, made and concluded at the city of Washington, the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, special commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, commissioners on the part of the Chickasaws, with the following

Amendments.

AMENDMENTS :

Ante, p. 86.

1st. At the end of article V. add the following : —

The people of the Choctaw and Chickasaw nations stipulate and agree to deliver up to any duly authorized agent of the United States all public property in their possession which belong[s] to the late so-called “ confederate states of America ” or the United States, without any reservation wha[t]-soever, particularly ordnance, ordnance stores, and arms of all kinds.

Ante, p. 90.

2d. Article IX. lines 4 and 5, strike out the words “ including any arrears which may have accrued.”

Ante, p. 95.

3d. Article XXXIX. lines 1, 2, and 3, strike out the following : “ Be licensed to trade with the Choctaws or Chickasaws, except by the agent, with the advice and consent,” and insert in lieu thereof : No person shall expose goods or other articles for sale as a trader without a permit.

Ante, p. 95.

4th. Strike out Article XLII. and insert in lieu thereof the following as a substitute : The Choctaw and Chickasaw nations shall deliver up persons accused of crime against the United States, who may be found within their respective limits on the requisition of the governor of any State for a crime committed against the laws of said State, and upon the requisition of the judge of the district court of the United States for the district within which the crime was committed.

Ante, p. 96.

5th. Article XLVI. line 13, strike out the words “ not less than.”

Ante, p. 96.

6th. Article XLIX. line 3, after the words “ United States ” insert : not exceeding three.

Ante, p. 97.

7th. Article [L]. lines 11 to and including line 15, strike out the following words : “ that the President of the United States shall, within three months from the ratification of this treaty, appoint a commission, to consist of one or more discreet persons,” and insert in lieu thereof : that the commission provided for in the proceeding [preceding] article shall.

Attest :

J. W. FORNEY, *Secretary*.

Amendments
assented to.

And whereas the foregoing amendments having been fully explained and interpreted to the respective commissioners of the Choctaw and Chickasaw nations of Indians hereinbefore named, they did, on the second day of July, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendments, in the words and figures following, to wit : —

Whereas the Senate of the United States did, on the twenty-eighth day of June, in the year of our Lord one thousand eight hundred and sixty-six, advise and consent to the ratification of the articles of agreement and

convention between the United States and the Choctaw and Chickasaw nations of Indians made and concluded at the city of Washington the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, special commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, commissioners on the part of the Chickasaws, with the following amendments, to wit:—

1st. At the end of Article V. add the following: The people of the Choctaw and Chickasaw nations stipulate and agree to deliver up to any duly authorized agent of the United States all public property in their possession which belong[s] to the late so-called “confederate states of America” or the United States, without any reservation whatsoever, particularly ordnance, ordnance stores, and arms of all kinds.

2d. Article IX. lines 4 and 5, strike out the words: “including any arrears which may have accrued.”

3d. Article XXXIX. lines 1, 2, and 3, strike out the following: “be licensed to trade with the Choctaws or Chickasaws, except by the agent, with the advice and consent,” and insert in lieu thereof: No person shall expose goods or other articles for sale as a trader without a permit.

4th. Strike out Article XLII. and insert in lieu thereof the following as a substitute: The Choctaw and Chickasaw nations shall deliver up persons accused of crime against the United States, who may be found within their respective limits on the requisition of the Governor of any State, for a crime committed against the laws of said State, and upon the requisition of the judge of the district court of the United States for the district within which the crime was committed.

5th. Article XLVI. line 13, strike out the words “not less than.”

6th. Article XLIX. line 3, after the words “United States” insert: not exceeding three.

7th. Article [L.] lines 11 to and including line 15, strike out the following words: “That the President of the United States shall, within three months from the ratification of this treaty, appoint a commission to consist of one or more discreet persons,” and insert in lieu thereof: that the commission provided for in the preceding article shall.

Now, therefore, we, the commissioners on the part of the said Choctaws and Chickasaws, do hereby assent and agree to the said amendments above written, the same having been interpreted to us, and being fully understood by us.

Witness our hands and seals this second day of July, in the year of our Lord one thousand eight hundred and sixty-six at Washington, D. C.

ALFRED WADE,	[SEAL.]
ALLEN WRIGHT,	[SEAL.]
JAMES RILEY,	[SEAL.]
JOHN PAGE,	[SEAL.]

Choctaw Commissioners.

WINCHESTER COLBERT,	[SEAL.]
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EDMUND ^{his} x PICKENS,	[SEAL.]
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HOLMES COLBERT,	[SEAL.]
COLBERT CARTER,	[SEAL.]
ROBERT H. LOVE,	[SEAL.]

Chickasaw Commissioners.

In presence [of]

JNO. H. B. LATROBE.

CHARLES E. MIX.

P. P. PITCHLYNN, *Principal chief Choctaw nation.*

DOUGLAS H. COOPER.

ALFRED H. JACKSON.

W. R. IRWIN.

LEWIS S. HAYDEN.

E. S. MITCHELL, *Secty. Chick. Commisn.*

Proclaimed. Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-eighth day of June, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendments as aforesaid.

In testimony whereof I have signed my name, and have caused the seal of the United States to be hereto affixed.

Done at the city of Washington this tenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, and of [SEAL.] the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD,

Secretary of State.

Treaty between the United States of America and the Creek Nation of Indians ; Concluded June 14, 1866 ; Ratification advised, with Amendments, July 19, 1866 ; Amendments accepted July 23, 1866 ; Proclaimed August 11, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

June, 14, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and Elijah Sells, Commissioners, on the part of the United States, and Ok-ta-has Harjo, Cow-mikko, and Cotch-cho-choe, delegates at large of the Creek Nation of Indians, and D. N. McIntosh and James M. C. Smith, special delegates of the Southern Creeks, on the part of said Creek Nation of Indians and Southern Creeks, all of which delegates at large and special delegates were duly authorized thereto by said Creek Nation and Southern Creeks, which treaty is in the words and figures following, to wit :—

Preamble.

TREATY OF CESSION AND INDEMNITY concluded at the city of Washington on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, represented by Dennis N. Cooley, Commissioner of Indian affairs, Elijah Sells, superintendent of Indian affairs for the Southern superintendency, and Col. Ely S. Parker, special Commissioner, and the Creek Nation of Indians, represented by Ok-tars-sars-harjo, or Sands ; Cow-e-to-me-co and Che-chu-choe, delegates at large, and D. N. McIntosh and James Smith, special delegates of the Southern Creeks.

Contracting parties.

PREAMBLE.

WHEREAS existing treaties between the United States and the Creek Nation have become insufficient to meet their mutual necessities ; and whereas the Creeks made a treaty with the so-called confederate states, on the tenth of July, one thousand eight hundred and sixty-one, whereby they ignored their allegiance to the United States, and unsettled the treaty relations existing between the Creeks and the United States, and did so render themselves liable to forfeit to the United States all benefits and advantages enjoyed by them in lands, annuities, protection, and immunities, including their lands and other property held by grant or gift from the United States ; and whereas in view of said liabilities the United States require of the Creeks a portion of their land whereon to settle other Indians ; and whereas a treaty of peace and amity was entered into between the United States and the Creeks and other tribes at Fort Smith, September tenth, eighteen hundred and sixty-five, whereby the Creeks revoked, cancelled, and repudiated the aforesaid treaty made with the so-called confederate states ; and whereas the United States, through its commissioners, in said treaty of peace and amity, promised to enter into treaty with the Creeks to arrange and settle all questions relating to and growing out of said treaty with the so-called confederate states : Now, therefore, the United States, by its commissioners, and the above-named delegates

of the Creek Nation, the day and year above mentioned, mutually stipulate and agree, on behalf of the respective parties, as follows, to wit:—

Peace and
friendship.

ARTICLE I. There shall be perpetual peace and friendship between the parties to this treaty, and the Creeks bind themselves to remain firm allies and friends of the United States, and never to take up arms against the United States, but always faithfully to aid in putting down its enemies. They also agree to remain at peace with all other Indian tribes; and, in return, the United States guarantees them quiet possession of their country, and protection against hostilities on the part of other tribes. In the event of hostilities, the United States agree that the tribe commencing and prosecuting the same, shall, as far as may be practicable, make just reparation therefor. To insure this protection, the Creeks agree to a military occupation of their country, at any time, by the United States, and the United States agree to station and continue in said country from time to time, at its own expense, such force as may be necessary for that purpose. A general amnesty of all past offences against the laws of the United States, committed by any member of the Creek Nation, is hereby declared. And the Creeks, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offences against their government, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who have remained friendly to, or taken up arms against, the United States, but they shall enjoy equal privileges with other members of said tribe, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

Military occu-
pation and pro-
tection by the
United States.

Amnesty.

Slavery not to
exist among the
Creeks.

Rights of those
of African de-
scent.

ARTICLE II. The Creeks hereby covenant and agree that henceforth neither slavery nor involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted in accordance with laws applicable to all members of said tribe, shall ever exist in said nation; and inasmuch as there are among the Creeks many persons of African descent, who have no interest in the soil, it is stipulated that hereafter these persons lawfully residing in said Creek country under their laws and usages, or who have been thus residing in said country, and may return within one year from the ratification of this treaty, and their descendants and such others of the same race as may be permitted by the laws of the said nation to settle within the limits of the jurisdiction of the Creek Nation as citizens [thereof,] shall have and enjoy all the rights and privileges of native citizens, including an equal interest in the soil and national funds, and the laws of the said nation shall be equally binding upon and give equal protection to all such persons, and all others, of whatsoever race or color, who may be adopted as citizens or members of said tribe.

Cession of
lands to the
United States.

Payments
therefor, and
mode of pay-
ment.

Amendment.
Post, p. 107.

ARTICLE III. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Creeks hereby cede and convey to the United States, to be sold to and used as homes for such other civilized Indians as the United States may choose to settle thereon, the west half of their entire domain, to be divided by a line running north and south; the eastern half of said Creek lands, being retained by them shall, except as herein otherwise stipulated, be forever set apart as a home for said Creek Nation; and in consideration of said cession of the west half of their lands, estimated to contain three millions two hundred and fifty thousand five hundred and sixty acres, the United States agree to pay the sum of thirty (30) cents per acre, amounting to nine hundred and seventy-five thousand one hundred and sixty-eight dollars, in the manner hereinafter provided, to wit: two hundred thousand dollars shall be paid per capita in money, unless otherwise directed by the President of the United States, upon the ratification of this treaty, to enable the Creeks to occupy, restore, and improve their farms, and to make their

nation independent and self-sustaining, and to pay the damages sustained by the mission schools on the North Fork and the Arkansas rivers, not to exceed two thousand dollars, and to pay the delegates such per diem as the agent and Creek council may agree upon, as a just and fair compensation, all of which shall be distributed for that purpose by the agent, with the advice of the Creek council, under the direction of the Secretary of the Interior. One hundred thousand dollars shall be paid to soldiers that enlisted in the Federal army and the loyal refugee Indians and freedmen who were driven from their homes by the Rebel forces, to reimburse them in proportion to their respective losses; four hundred thousand dollars shall be paid per capita in money to said Creek nation, unless otherwise directed by the President of the United States, under the direction of the Secretary of the Interior, as the same may accrue from the sale of land to other Indians. The United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent per annum from the date of the ratification of this treaty, on the amount hereinbefore agreed upon for said ceded lands, after deducting the said two hundred thousand dollars; the residue, two hundred and seventy-five thousand one hundred and sixty-eight dollars, shall remain in the treasury of the United States, and the interest thereon, at the rate of five per centum per annum, be annually paid to said Creeks as above stipulated.

Amendment.
Post, p. 107

ARTICLE IV. Immediately after the ratification of this treaty the United States agree to ascertain the amount due the respective soldiers who enlisted in the Federal army, loyal refugee Indians and freedmen, in proportion to their several losses, and to pay the amount awarded each, in the following manner, to wit: A census of the Creeks shall be taken by the agent of the United States for said nation, under the direction of the Secretary of the Interior, and a roll of the names of all soldiers that enlisted in the Federal army, loyal refugee Indians, and freedmen, be made by him. The superintendent of Indian affairs for the Southern superintendency and the agent of the United States for the Creek nation shall proceed to investigate and determine from said roll the amounts due the respective refugee Indians, and shall transmit to the commissioner of Indian affairs for his approval, and that of the Secretary of the Interior, their awards, together with the reasons therefor. In case the awards so made shall be duly approved, said awards shall be paid from the proceeds of the sale of said lands within one year from the ratification of this treaty, or so soon as said amount of one hundred thousand (\$100,000) dollars can be raised from the sale of said land to other Indians.

Losses of loyal
refugee Indians
and freedmen,
soldiers enlisted
in federal army.

Census, &c.

ARTICLE V. The Creek nation hereby grant a right of way through their lands, to the Choctaw and Chickasaw country, to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point north of to any point in or south of the Creek country, and likewise from any point on their eastern to their western or southern boundary, but said railroad company, together with all its agents and employes, shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose, and the Creeks agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Creek nation, lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Creek nation and the party or parties building said road, subject to the approval of the President of the United States: *Provided, however,* That said land thus sold shall not be

Right of way
granted for a
railroad.

Conditions.

Lands will be
sold.

Proviso.

reconveyed, leased, or rented to, or be occupied by any one not a citizen of the Creek nation, according to its laws and recognized usages: *Provided, also,* That officers, servants, and employes of said railroad necessary to its construction and management, shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior, nor shall any conveyance of any of said lands be made to the party building and managing said road until its completion as a first-class railroad, and its acceptance as such by the Secretary of the Interior.

Creek orphan fund, and orphan children.

ARTICLE VI. Inasmuch as the bonds, or a portion thereof, in which the Creek orphan fund has been heretofore invested, from certain causes have largely depreciated in value, and are for the purposes for which said fund was set aside unproductive, it is hereby further stipulated that such of the bonds now held by the Secretary of the Interior, in trust for the orphans of the Creek nation, as may be necessary to establish a manual-labor school for the improvement and education of the orphan children of said nation shall be disposed of, and the avails thereof used for that purpose, under the direction of the Secretary of the Interior. The residue of said fund shall be retained in the treasury of the United States, upon which interest at the rate of five per cent shall annually be paid for the maintenance and support of said school.

Amendment.
Post, p. 107.

Seminole may convey to the United States.

ARTICLE VII. The Creeks hereby agree that the Seminole tribe of Indians may sell and convey to the United States all or any portion of the Seminole lands, upon such terms as may be mutually agreed upon by and between the Seminoles and the United States.

Line dividing the Creek country to be surveyed.

ARTICLE VIII. It is agreed that the Secretary of the Interior forthwith cause the line dividing the Creek country, as provided for by the terms of the sale of Creek lands to the United States in article third of this treaty, to be accurately surveyed under the direction of the commissioner of Indian affairs, the expenses of which survey shall be paid by the United States.

Agency buildings.

ARTICLE IX. Inasmuch as the agency buildings of the Creek tribe have been destroyed during the late war, it is further agreed that the United States shall at their own expense, not exceeding ten thousand dollars, cause to be erected suitable agency buildings, the sites whereof shall be selected by the agent of said tribe, in the reduced Creek reservation, under the direction of the superintendent of Indian affairs.

In consideration whereof, the Creeks hereby cede and relinquish to the United States one section of their lands, to be designated and selected by their agent, under the direction of the superintendent of Indian affairs, upon which said agency buildings shall be erected, which section of land shall revert to the Creek nation when said agency buildings are no longer used by the United States, upon said nation paying a fair and reasonable value for said buildings at the time vacated.

Creeks agree to certain legislation.

ARTICLE X. The Creeks agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian territory: *Provided, however,* [That] said legislation shall not in any manner interfere with or annul their present tribal organization, rights, laws, privileges, and customs. The Creeks also agree that a general council, consisting of delegates elected by each nation or tribe lawfully resident within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as are hereinafter described.

General council.

Census.

First. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census, or enumeration of each tribe lawfully resident in said territory, shall be taken under the direction of the

superintendent of Indian affairs, who for that purpose is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

Second. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be selected by said tribes respectively, who may assent to the establishment of said general council, and if none should be thus formally selected by any nation or tribe, the said nation or tribe shall be represented in said general council by the chief or chiefs and headmen of said tribe, to be taken in the order of their rank as recognized in tribal usage, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article, and the persons entitled to so represent said tribes shall meet at such time and place as he shall appoint, but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided*, That no session in any one year shall exceed the term of thirty days, and provided that special sessions of said council may be called whenever, in the judgment of the Secretary of the Interior, the interest of said tribe shall require.

First general council, how composed.

Time and place of meeting.

Sessions not to exceed 30 days.

Special sessions.

Powers of general council.

Third. Said general council shall have power to legislate upon all rightful subjects and matters pertaining to the intercourse and relations of the Indian tribes and nations resident in said territory, the arrest and extradition of criminals and offenders escaping from one tribe to another, the administration of justice between members of the several tribes of said territory, and persons other than Indians and members of said tribes or nations, the construction of works of internal improvement, and the common defence and safety of the nations of said territory. All laws enacted by said general council shall take effect at such time as may therein be provided, unless suspended by direction of the Secretary of the Interior or the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States, or the laws of Congress, or existing treaty stipulations with the United States, nor shall said council legislate upon matters pertaining to the organization, laws, or customs of the several tribes, except as herein provided for.

Fourth. Said council shall be presided over by the superintendent of Indian affairs, or, in case of his absence from any cause, the duties of said superintendent enumerated in this article shall be performed by such person as the Secretary of the Interior may direct.

Who to preside over council.

Fifth. The Secretary of the Interior shall appoint a secretary of said council, whose duty it shall be to keep an accurate record of all the proceedings of said council, and who shall transmit a true copy of all such proceedings, duly certified by the superintendent of Indian affairs, to the Secretary of the Interior immediately after the sessions of said council shall terminate. He shall be paid out of the treasury of the United States an annually salary of five hundred dollars.

Secretary of council.

Pay.

Sixth. The members of said council shall be paid by the United States the sum of four dollars per diem during the time actually in attendance on the sessions of said council, and at the rate of four dollars for every twenty miles necessar[il]y travelled by them in going to and returning to their homes, respectively, from said council, to be certified by the secretary of said council and the superintendent of Indian affairs.

Pay of members.

Seventh. The Creeks also agree that a court or courts may be established in said territory, with such jurisdiction and organized in such manner as Congress may by law provide.

Courts.

ARTICLE XI. The stipulations of this treaty are to be a full settlement of all claims of said Creek nation for damages and losses of every

This treaty to be a full settlement of all claims.

Diversions of annuities.

kind growing out of the late rebellion and all expenditures by the United States of annuities in clothing and feeding refugee and destitute Indians since the diversion of annuities for that purpose consequent upon the late war with the so-called confederate states; and the Creeks hereby ratify and confirm all such diversions of annuities heretofore made from the funds of the Creek nation by the United States, and the United States agree that no annuities shall be diverted from the objects for which they were originally devoted by treaty stipulations with the Creeks, to the use of refugee and destitute Indians other than the Creeks or members of the Creek nation after the close of the present fiscal year, June thirtieth, eighteen hundred and sixty-six.

Treaty obligations reaffirmed.

ARTICLE XII. The United States reaffirms and reassumes all obligations of treaty stipulations with the Creek nation entered into before the treaty of said Creek nation with the so-called confederate states, July tenth, eighteen hundred and sixty-one, not inconsistent herewith; and further agrees to renew all payments of annuities accruing by force of said treaty stipulations from and after the close of the present fiscal year, June thirtieth, eighteen hundred and sixty-six, except as is provided in article eleventh.

Lands granted for missionary or educational purposes;

ARTICLE XIII. A quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions, in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect buildings within the Creek country for missionary or educational purposes; but no land thus granted nor the buildings which have been or may be erected thereon shall ever be sold or otherwise disposed of, except with the consent and approval of the Secretary of the Interior; and whenever any such lands or buildings shall be so sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Creeks and such other persons as may be or may hereafter become members of the tribe according to its laws, customs, and usages; and if at any time said improvements shall be abandoned for one year for missionary or educational purposes, all the rights herein granted for missionary and educational purposes shall revert to the said Creek nation.

not to be sold, except, &c.;

when sold, proceeds to be how applied.

Inconsistent treaty provisions annulled.

ARTICLE XIV. It is further agreed that all treaties heretofore entered into between the United States and the Creek nation which are inconsistent with any of the articles or provisions of this treaty shall be, and are hereby, rescinded and annulled; and it is further agreed that ten thousand dollars shall be paid by the United States, or so much thereof as may be necessary, to pay the expenses incurred in negotiating the foregoing treaty.

Execution.

In testimony whereof, we, the commissioners representing the United States and the delegates representing the Creek nation, have hereunto set our hands and seals at the place and on the day and year above written.

D. N. COOLEY, [SEAL.]
Comr. Ind. Affrs.

ELIJAH SELLS, [SEAL.]
Supt. Ind. Aff.

OK-TA-HAS HARJO, his x mark. [SEAL.]

COW MIKKO, his x mark. [SEAL.]

COTCH-CHO-CHEE, his x mark. [SEAL.]

D. N. McINTOSH. [SEAL.]

JAMES M. C. SMITH. [SEAL.]

In presence of —

J. W. DUNN, *U. S. Indian Agent.*

J. HARLAN, *U. S. Indian Agent.*

CHARLES E. MIX.

J. M. TEBBETTS.

GEO. A. REYNOLDS, *U. S. Indian Agent.*

JOHN B. SANBORN.

JOHN F. BROWN, *Seminole Delegate.*

JOHN CHUPCO, his x mark.

FOS-HAR-JO, his x mark.

CHO-COTE-HUGA, his x mark.

R. FIELDS, *Cherokee Delegate.*

DOUGLAS H. COOPER.

WM. PENN ADAIR,

HARRY ISLAND, his x mark, *U. S. Interpreter, Creek Nation.*

SULUDIN WATIE.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the nineteenth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, by a resolution in the words and figures following, to wit :—

Ratification,
with amend-
ments.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 19, 1866.

Resolved, (two thirds of the senators present concurring.) That the Senate advise and consent to the ratification of the treaty of cession and indemnity concluded at the city of Washington on the fourteenth day of June, eighteen hundred and sixty-six, by and between the United States, represented by their Commissioners, and the Creek nation of Indians, with the following

AMENDMENTS :

- 1st. Article III. line 21, after the word "paid," insert the words : in money and divided. *Ante*, p. 102.
- 2d " same line, strike out the words "in money."
- 2d " line 43, after the word "paid" insert the words : in money and divided. *Ante*, p. 103.
- " same line, strike out the words "in money."
- 3d. Strike out all of Article VI. *Ante*, p. 104.
- Attest : J. W. FORNEY, *Secretary.*

And whereas the foregoing amendments having been fully explained and interpreted to the aforementioned delegates at large and special delegates of the Creek nation of Indians and southern Creeks, they did, on the twenty-third day of July, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendments, in the words and figures following, to wit :—

Amendments
assented to.

Whereas the Senate of the United States did, on the 19th day of July, 1866, advise and consent to the ratification of the treaty of cession and indemnity concluded at the city of Washington on the 14th day of June, 1866, by and between the United States, represented by their Commissioners, and the Creek nation of Indians, with the following amendments, to wit :—

- 1st. Article III. line 21, after the word "paid" insert the words : in money and divided.
- " same line, strike out the words "in money."
- 2d. " line 43, after the word "paid" insert the words : in money and divided.
- " same line, strike out the words "in money."
- 3d. Strike out all of Article VI.

TREATY WITH THE CREEK INDIANS. JUNE 14, 1866.

Now, therefore, we, the delegates representing the Creek Nation of Indians, do hereby assent and agree to the said amendments above written, the same having been interpreted to us and being fully understood by us.

Witness our hands and seals this 23d day of July, A. D. 1866, at Washington, D. C.

OK-TA-HAS-HARJO, his x mark.

[SEAL.]

COW MIKKO, his x mark.

[SEAL.]

COTCH-CHO-CHEE, his x mark.

[SEAL.]

D. N. MCINTOSH,

[SEAL.]

JAMES M. C. SMITH.

[SEAL.]

In presence of —

CHARLES E. MIX.

W. R. IRWIN.

LEWIS S. HAYDEN.

G. D. CURTIS.

GEO. A. REYNOLDS.

E. B. GRAYSON.

JOHN F. BROWN.

J. HARLAN, *U. S. Indian Agent.*

HARRY ISLAND, his x mark, *U. S. Interpreter for Creeks.*

ROBERT JOHNSON, his x mark, *U. S. Interpreter for Seminoles.*

JOHN CHUP-CO, his x mark.

FOS HARPO, his x mark.

CHO-COTE HARJO, his x mark.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the nineteenth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington this eleventh day of August, in the year of our Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

HENRY STANBERRY, *Acting Secretary of State.*

Treaty between the United States of America and the Delaware Tribe of Indians; Concluded July 4, 1866; Ratification advised July 26, 1866; Proclaimed August 10, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

July 4, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the Delaware Agency, Kansas, on the fourth day of July, in the year of our Lord one thousand eight hundred and sixty-six, by and between Thomas Murphy, John G. Pratt, and William H. Watson, Commissioners, on the part of the United States, and Captain John Connor, Captain Sarcoxie, Charles Journeycake, and other chiefs and councillors of the Delaware tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit :—

Preamble.

ARTICLES OF AGREEMENT between the United States and the chiefs and councillors of the Delaware Indians, on behalf of said tribe, made at the Delaware Agency, Kansas, on the fourth day of July, eighteen hundred and sixty-six.

Contracting parties.

WHEREAS Congress has by law made it the duty of the President of the United States to provide by treaty for the removal of the Indian tribes from the State of Kansas; and whereas the Delaware Indians have expressed a wish to remove from their present reservation in said State to the Indian country, located between the States of Kansas and Texas; and whereas the United States have, by treaties negotiated with the Choctaws and Chickasaws, with the Creeks, and with the Seminoles, Indian tribes residing in said Indian country, acquired the right to locate other Indian tribes within the limits of the same; and whereas the Missouri River Railroad Company, a corporation existing in the State of Kansas by the laws thereof,—and which company has built a railroad connecting with the Pacific Railroad, from near the mouth of the Kaw River to Leavenworth, in aid of which road the Delawares, by treaty in eighteen hundred and sixty-four, agreed to dispose of their lands,—has expressed a desire to purchase the present Delaware Indian reservation in the said State, in a body, at a fair price :

Preamble.

It is hereby agreed between Thomas Murphy, superintendent of Indian affairs, John G. Pratt, agent for the Delawares, and William H. Watson, special commissioner, who are duly appointed to act for the United States; and Captain John Connor, Captain Sarcoxie, and Charles Journeycake, chiefs, and James Ketchum, James Connor, Andrew Miller, and John Sarcoxie, councillors, duly appointed and authorized by said Delaware Indians to act for them and in their behalf, to wit :—

ARTICLE I. That the United States shall secure and cause to be paid to said Indians the full value of all that part of their reservation, with the improvements then existing on the same, heretofore sold to the Leavenworth, Pawnee, and Western Railroad Company, according to the terms of a treaty ratified August twenty-second, eighteen hundred and sixty, and supplemental treaties, and in accordance with the conditions, restrictions, and limitations thereof.

Value of reservation heretofore sold to be paid the Delawares.

Remainder of reservation may be sold.

ARTICLE II. That the Secretary of the Interior shall be, and he is, authorized to sell to said Missouri River Railroad Company, or to other responsible party or parties, in a body, all the remaining part of said reservation, being the lands conveyed to said Delaware Indians in pursuance of the provisions of the supplemental treaty of September twenty-fourth, eighteen hundred and twenty-nine, and all other lands owned by the said tribe in the State of Kansas not previously disposed of, except as hereinafter provided, for a price not less than two dollars and fifty cents per acre, exclusive of improvements.

Price.

Lands of those Indians electing to become citizens to be reserved from sale.

ARTICLE III. It shall be the duty of the Secretary of the Interior to give each of all the adult Delaware Indians who have received their proportion of land in severalty an opportunity, free from all restraint, to elect whether they will dissolve their relations with their tribe and become citizens of the United States: and the lands of all such Indians as may elect so to become citizens, together with those of their minor children, held by them in severalty, shall be reserved from the sale hereinbefore provided for.

Improvements to be appraised;

And the Secretary of the Interior shall cause any and all improvements made on any of the said lands, the sale of which is provided for, whether held in common or in severalty, to be appraised, and the value thereof added to the price of said lands, to be paid for when payment is made for the lands upon which said improvements exist; and the money received for the improvements on the land of each Indian held in severalty shall be paid to him at any time after its payment to the Secretary of the Interior, when the department shall be notified that said Indian is ready to remove to the Indian country, to provide for his removal to, and to enable him to make improvements on his new home therein:

value thereof paid to each Indian.

Lands to be set apart for children born since allotment.

Provided, That whenever it shall be ascertained under the registry above provided for what lands will be vacated, there shall be set apart from the lands held in common, for each child of Delaware blood, born since the allotment of land to said tribe in severalty was made under previous treaties, a quantity of land equal to the amount to which they would have been entitled had they been born before said allotment, provided that selections for children belonging to families whose head may elect to remain may be made from lands which are to be vacated by those who elect to remove: *And provided further*, That in case there shall be improvements upon any heretofore allotted lands, so selected for children of the Delawares, payment shall be made for such improvements, at their appraised value, by the parents or guardians of said children, at the same time as if the said lands had been sold to the railroad company or other parties.

Improvements.

The United States to sell certain lands to the Delawares.

ARTICLE IV. The United States agree to sell to the said Delaware Indians a tract of land ceded to the government by the Choctaws and Chickasaws, the Creeks, or the Seminoles, or which may be ceded by the Cherokees in the Indian country, to be selected by the Delawares in one body in as compact a form as practicable, so as to contain timber, water, and agricultural lands, to contain in the aggregate, if the said Delaware Indians shall so desire, a quantity equal to one hundred and sixty (160) acres for each man, woman, and child who shall remove to said country, at the price per acre paid by the United States for the said lands, to be paid for by the Delawares out of the proceeds of sales of lands in Kansas, heretofore provided for. The said tract of country shall be set off with clearly and permanently marked boundaries by the United States; and also surveyed as public lands are surveyed, when the Delaware council shall so request, when the same may, in whole or in part, be allotted by said council to each member of said tribe residing in said country, said allotment being subject to the approval of the Secretary of the Interior.

Price.

Boundaries and surveys.

Peaceable possession guaranteed.

ARTICLE V. The United States guarantee to the said Delawares peaceable possession of their new home herein provided to be selected for

them in the Indian country, and protection from hostile Indians and internal strife and civil war, and a full and just participation in any general council or territorial government that may be established for the nations and tribes residing in said Indian country.

ARTICLE VI. It is agreed that the proceeds of the sale of the Delaware lands herein provided for shall be paid to said Indians in the manner following, to wit: Whenever the Department of the Interior shall be notified by the council, through the agent, that any of the Delawares who hold land in severalty are ready to remove, at the same time describing their allotments, there shall be paid to each such person the value of his allotment, and that of his family, to enable him to remove to and improve his new home, provided the money for the said allotment shall have been paid to the Secretary of the Interior; and while said money, or any part thereof, shall remain in the treasury of the United States, the Delawares shall be entitled to receive interest on the amount so retained at the rate of five (5) per cent per annum. And the residue of the proceeds of the sale of the Delaware lands, being those which have not been allotted, or which have once been allotted, but have been abandoned by the allottees, shall be added to the general fund of the Delawares, interest thereon to be paid to the Indians in the same manner as is now provided in regard to that fund.

Proceeds of sales of lands to be paid to the Indians, and how.

ARTICLE VII. Within thirty days after the ratification of this treaty it shall be the duty of the Secretary of the Interior to give the said Missouri River Railroad Company notice that he is authorized to contract with them or other responsible party or parties for the sale of said lands on the terms specified in this treaty, indicating the approximate quantity thereof; and within twenty days after receiving said notice at their usual place of doing business in the State of Kansas it shall be competent for said company to elect to make the purchase, by filing with the said Secretary their bond, with approved security, in double the amount proposed to be paid by them for the whole of said lands, guaranteeing that they will purchase all of the lands to be sold under the provisions of this treaty, and that they will pay for them in accordance with the terms thereof. And upon the filing of a satisfactory bond as above provided by said company, the contract for such purchase shall be concluded by the said Secretary with said Missouri River Railroad Company, at not less than two dollars and fifty cents per acre for the whole of the lands herein provided to be sold: *Provided, however,* That if said railroad company shall not within the twenty days above limited file its bond for the purchase as herein prescribed, the Secretary of the Interior may at the expiration of that time accept any offer for the whole of said lands in one body, at not less than two dollars and fifty cents per acre, from any other responsible parties; but no offer shall be considered from other parties than said Missouri River Railroad Company, unless accompanied by a certificate of deposit in the First National Bank of the city of Washington, D. C., to the credit of the said Secretary, for an amount equal to ten per cent of the aggregate value of the land at the price proposed, to be forfeited for the use of the Delawares if the sale should be awarded to said person or corporation so proposing to purchase the lands, and said party should fail to make payment as hereinafter provided.

Purchase of the lands by the Missouri River Railroad Company.

If, &c. land may be sold to others.

ARTICLE VIII. That within sixty days after the sale of said land shall have been effected, the purchaser shall pay to the said Secretary, in trust for the Delawares, the stipulated price of said unallotted lands, with the appraised value of improvements thereon, excepting therefrom the mill reservation, and the quarter sections upon which the council-house and blacksmith shops are built, the use of which shall be retained until the final removal of the Delawares, and for which payment shall not be required from the purchaser until possession is delivered; and from time to time thereafter, as often as the Secretary of the Interior shall notify

Payment, when to be made.

the said purchaser that ten thousand acres or more of said lands have been vacated by said Indians, within three months thereafter, said purchaser shall pay to the Secretary of the Interior, in trust for the said Indians, the stipulated price for said lands, with the appraised value of the improvements; and so on until all are paid for, according to the true intent and meaning hereof; and as said lands shall be paid for, patents therefor, conveying the same in fee simple, shall be from time to time issued to said purchaser, or to his or its assigns, by the President of the United States.

Registry to be made of Delawares electing to become citizens.

ARTICLE IX. It is also stipulated that the Secretary of the Interior shall cause a registry to be made of the names of all of said Delawares who have elected to dissolve their tribal relations and to become citizens of the United States, as provided in this treaty, with the names, ages, and sex of the members of the family of each of said Delawares, and present a certified copy of the same to the judge of the district court of the United States for the district of Kansas, and cause a copy to be filed in the office of the commissioner of Indian affairs, after which any of said Delawares, being adults, may appear before the said judge in open court, and make the same proof and take the same oath of allegiance as is provided by law for the naturalization of aliens, and also make proof to the satisfaction of said court that he is sufficiently intelligent and prudent to control his own affairs and interests, that he has adopted the habits of civilized life, and has been able to support, for at least five years, himself and family; when he shall receive a certificate of the same under the

Mode of procedure to become citizens.

Patent of land before allotted.

seal of the said court; and on the filing of the said certificate in the office of the commissioner of Indian affairs, the said Delaware Indian shall be constituted a citizen of the United States, and be entitled to receive a patent in fee simple, with power of alienation, for the land heretofore allotted to him, and his just proportion, in cash or in bonds, of the cash value of the credits of said tribe, principal and interest, then held in trust by the United States; and also, as the same may be received, his proportion of the proceeds of the sale of lands under the provisions of this treaty, when he shall cease to be a member of said tribe. Whereupon

Proportion of proceeds of sales.

Minor children.

all of the minor children of those who have become citizens shall be construed to have elected to sever their connection with said tribe for the time being, and be entitled to their just proportion of the annuities of the tribe, to be paid to the head of the family to be expended for their support and education until they shall attain the age of twenty-one years, after which each shall elect to remove to his tribe or to become a citizen of the United States, as hereinbefore provided, and if thus admitted to citizenship, shall be entitled to all the privileges and interests herein provided for the head of the family. Should any minor as aforesaid, arriving at the age of twenty-one years, and electing to become a citizen of the United States, or any adult Indian having so elected, fail to be admitted, he shall not be compelled to remove, but the Secretary of the Interior shall provide proper guardianship for the protection of his rights and interests and those of his family. There shall be granted to each of

Grant to those that have become citizens.

the Delawares who have thus become citizens, a patent in fee simple for the lands heretofore allotted to them, and, if they do not remove with the nation, their pro rata share of all annuities and trust property held by the United States for them, the division to be made under the direction of the President of the United States, after which such persons shall cease to be members of the Delaware tribe, and shall not further participate in their councils, nor share in their property or annuities.

Funds of the tribe not to be used to pay debts of individual members.
Licenses to trade.
Salaries of chiefs.

ARTICLE X. It is further agreed that the funds of the Delawares shall never be applied by the government to the payment of the debt or debts of any individual member or members of the nation; nor shall any person be licensed to trade with the Delawares without the consent of the chiefs and council; and the salaries of the chiefs shall henceforward be four hundred dollars per annum.

ARTICLE XI. The Delawares acknowledge their dependence upon the United States, and again renew their pledges of devotion to the government thereof, and ask its protection; and the United States agree to protect, preserve, and defend them in all their just rights. Dependence and protection.

ARTICLE XII. It is also agreed that if the said Secretary should not be able to sell the said lands as hereinbefore provided, he may cause the same to be appraised, in separate tracts, at their fair cash value, no tract to be valued at less than two dollars and fifty cents per acre, and the same when appraised may be sold at not less than the appraised value, and for as much more as the same will bring, and the money arising from the sale to be applied and distributed as hereinbefore provided. Sale of lands.

ARTICLE XIII. It is agreed by the Delawares that railroad companies engaged in building roads whose routes shall lie through their new reservation in the Indian country shall have a right of way through and over said lands, not exceeding two hundred feet in width for any such road, and also the right to enter on all lands and take and use such gravel, stone, and other material except timber as may be necessary for the construction of such roads, compensation to be made for any damages done in obtaining such material, and for any damages arising from the location or running of such roads to improvements which shall have been made before such road shall have been located, such damages to be ascertained under regulations to be prescribed by the Secretary of the Interior. Right of way for railroads.

ARTICLE XIV. The United States further agree that, in accordance with the general provisions of the sixth article of the Delaware treaty of May thirty, eighteen hundred and sixty, which have not yet been fulfilled, there shall be credited to the Delawares, in the purchase of their new reservation in the Indian country, the sum of thirty thousand dollars, which credit by the United States shall be received by the Delawares as a full settlement of all claims against the government for depredations upon timber to the date of the signing of this treaty; and the Delawares shall receive, without cost, from the United States, land included within their new reservation to the amount of twenty-three sections, in place of the twenty-three sections of half-breed Kaw lands referred to in said sixth section of the treaty of eighteen hundred and sixty; and inasmuch as the Delawares claim that a large amount of stock has been stolen from them by whites since the treaty of eighteen hundred and fifty-four, the United States agree to have a careful examination of such claims made under the direction of the Secretary of the Interior, and when the value of such stolen stock shall have been ascertained, the same shall be reported to Congress with a recommendation for an appropriation to pay for the same; and all moneys appropriated for such purpose shall be paid to the owners of said stock. Settlement of all claims of the Delawares for depredations.

ARTICLE XV. It is also agreed by the contracting parties that nothing contained in this treaty shall be so construed as to require the Delawares to remove from their present homes, until after they shall have selected and received title to lands for new homes elsewhere. Delawares not to move until new homes are provided.

In testimony whereof, the said superintendent, agent, and special commissioner, on behalf of the United States, and the said chiefs and councilors on behalf of the Delawares, have hereunto set their hands and seals this fourth day of July, one thousand eight hundred and sixty-six. Execution.

THOS. MURPHY, [SEAL.]

Superintendent.

JOHN G. PRATT, [SEAL.]

Agent.

W. H. WATSON, [SEAL.]

Special Commissioner,

JOHN CONNOR, his x mark, [SEAL.]

Head Chief.

CAPTAIN SARCOXIE, his x mark, [SEAL.]

Assistant Chief.

CHARLES JOURNEYCAKE, [SEAL.]

Assistant Chief.

JAMES KETCH[U]M, [SEAL.]

JAMES CONNOR, his x mark, [SEAL.]

ANDREW MILLER, his x mark, [SEAL.]

JOHN SARCOXIE, his x mark, [SEAL.]

Councillors.

ISAAC JOHNYCAKE,

U. S. Interpreter.

In presence of—

HENRY S. BULKLEY.

EDWARD S. MENAGER.

LOUIS A. MENAGER.

Ratification.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-sixth day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:—

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
July 26, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement between the United States and Delaware Indians, made at the Delaware Agency, Kansas, on the fourth day of July, one thousand eight hundred and sixty-six.

Attest:

J. W. FORNEY, *Secretary.*

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-sixth of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this tenth day of August,
in the year of our Lord one thousand eight hundred and
[SEAL.] sixty-six, and of the Independence of the United States of
America the ninety-first.

ANDREW JOHNSON.

By the President:

HENRY STANBERRY, *Acting Secretary of State.*

Treaty between the United States of America and the Cherokee Nation of Indians ; Concluded July 19, 1866 ; Ratification advised, with Amendments, July 27, 1866 ; Amendments accepted July 31, 1866 ; Proclaimed August 11, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

July 19, 1866.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and Elijah Sells, Commissioners, on the part of the United States, and Smith Christie, White Catcher, James McDaniel, S. H. Bengé, Daniel H. Ross, and J. B. Jones, delegates of the Cherokee nation, appointed by resolution of the national council, on the part of said Cherokee nation, which treaty is in the words and figures following, to wit : —

Preamble.

ARTICLES OF AGREEMENT AND CONVENTION at the city of Washington on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, between the United States, represented by Dennis N. Cooley, Commissioner of Indian affairs, [and] Elijah Sells, superintendent of Indian affairs for the southern superintendency, and the Cherokee nation of Indians, represented by its delegates, James McDaniel, Smith Christie, White Catcher, S. H. Bengé, J. B. Jones, and Daniel H. Ross — John Ross, principal chief of the Cherokees, being too unwell to join in these negotiations.

Contracting parties.

PREAMBLE.

WHEREAS existing treaties between the United States and the Cherokee nation are deemed to be insufficient, the said contracting parties agree as follows, viz : —

ARTICLE I. The pretended treaty made with the so-called confederate states by the Cherokee nation on the seventh day of October, eighteen hundred and sixty-one, and repudiated by the national council of the Cherokee nation on the eighteenth day of February, eighteen hundred and sixty-three, is hereby declared to be void.

Pretended treaty declared void.

ARTICLE II. Amnesty is hereby declared by the United States and the Cherokee nation for all crimes and misdemeanors committed by one Cherokee on the person or property of another Cherokee, or of a citizen of the United States, prior to the fourth day of July, eighteen hundred and sixty-six ; and no right of action arising out of wrongs committed in aid or in the suppression of the rebellion shall be prosecuted or maintained in the courts of the United States or in the courts of the Cherokee nation.

Amnesty.

ARTICLE III. The confiscation laws of the Cherokee nation shall be repealed, and the same, and all sales of farms, and improvements on real estate, made or pretended to be made in pursuance thereof, are hereby agreed and declared to be null and void, and the former owners of such property so sold, their heirs or assigns, shall have the right peaceably to reoccupy their homes, and the purchaser under the confiscation laws, or his heirs or assigns, shall be repaid by the treasurer of the Cherokee

Amendment.
Post p. 123.

Confiscation laws repealed and former owners restored to their rights.

Improvements.

nation from the national funds, the money paid for said property, and the cost of permanent improvements on such real estate, made thereon since the confiscation sale; the cost of such improvements to be fixed by a commission, to be composed of one person designated by the Secretary of the Interior and one by the principal chief of the nation, which two may appoint a third in cases of disagreement, which cost so fixed shall be refunded to the national treasurer by the returning Cherokees within three years from the ratification hereof.

Cherokees,
freed persons,
and free negroes
may elect to re-
side where.

ARTICLE IV. All the Cherokees and freed persons who were formerly slaves to any Cherokee, and all free negroes not having been such slaves, who resided in the Cherokee nation prior to June first, eighteen hundred and sixty-one, who may within two years elect not to reside northeast of the Arkansas river and southeast of Grand river, shall have the right to settle in and occupy the Canadian district southwest of the Arkansas river, and also all that tract of country lying northwest of Grand river, and bounded on the southeast by Grand river and west by the Creek reservation to the northeast corner thereof; from thence west on the north line of the Creek reservation to the ninety-sixth degree of west longitude; and thence north on said line of longitude so far that a line due east to Grand river will include a quantity of land equal to one hundred and sixty acres for each person who may so elect to reside in the territory above described in this article: *Provided*, That that part of said district north of the Arkansas river shall not be set apart until it shall be found that the Canadian district is not sufficiently large to allow one hundred and sixty acres to each person desiring to obtain settlement under the provisions of this article.

Proviso.

Those so elect-
ing to reside
there may elect
local officers,
judges, &c.

ARTICLE V. The inhabitants electing to reside in the district described in the preceding article shall have the right to elect all their local officers and judges, and the number of delegates to which by their numbers they may be entitled in any general council to be established in the Indian territory under the provisions of this treaty, as stated in Article XII.; and to control all their local affairs, and to establish all necessary police regulations and rules for the administration of justice in said district, not inconsistent with the constitution of the Cherokee nation or the laws of the United States; *Provided*, The Cherokees residing in said district shall enjoy all the rights and privileges of other Cherokees who may elect to settle in said district as hereinbefore provided, and shall hold the same rights and privileges and be subject to the same liabilities as those who elect to settle in said district under the provisions of this treaty; *Provided also*, That if any such police regulations or rules be adopted which, in the opinion of the President, bear oppressively on any citizen of the nation, he may suspend the same. And all rules or regulations in said district, or in any other district of the nation, discriminating against the citizens of other districts, are prohibited, and shall be void.

Proviso.

Proviso.

Representation
in national coun-
cil.

Unequal laws.

ARTICLE VI. The inhabitants of the said district hereinbefore described shall be entitled to representation according to numbers in the national council, and all laws of the Cherokee nation shall be uniform throughout said nation. And should any such law, either in its provisions or in the manner of its enforcement, in the opinion of the President of the United States, operate unjustly or injuriously in said district, he is hereby authorized and empowered to correct such evil, and to adopt the means necessary to secure the impartial administration of justice, as well as a fair and equitable application and expenditure of the national funds as between the people of this and of every other district in said nation.

Courts.

ARTICLE VII. The United States court to be created in the Indian territory; and until such court is created therein, the United States district court, the nearest to the Cherokee nation, shall have exclusive original jurisdiction of all causes, civil and criminal, wherein an inhabitant of the district hereinbefore described shall be a party, and where an in-

habitant outside of said district, in the Cherokee nation, shall be the other party, as plaintiff or defendant in a civil cause, or shall be defendant or prosecutor in a criminal case, and all process issued in said district by any officer of the Cherokee nation, to be executed on an inhabitant residing outside of said district, and all process issued by any officer of the Cherokee nation outside of said district, to be executed on an inhabitant residing in said district, shall be to all intents and purposes null and void, unless indorsed by the district judge for the district where such process is to be served, and said person, so arrested, shall be held in custody by the officer so arresting him, until he shall be delivered over to the United States marshal, or consent to be tried by the Cherokee court: *Provided*, That any or all the provisions of this treaty, which make any distinction in rights and remedies between the citizens of any district and the citizens of the rest of the nation, shall be abrogated whenever the President shall have ascertained, by an election duly ordered by him, that a majority of the voters of such district desire them to be abrogated, and he shall have declared such abrogation: *And provided further*, That no law or regulation, to be hereafter enacted within said Cherokee nation or any district thereof, prescribing a penalty for its violation, shall take effect or be enforced until after ninety days from the date of its promulgation, either by publication in one or more newspapers of general circulation in said Cherokee nation, or by posting up copies thereof in the Cherokee and English languages in each district where the same is to take effect, at the usual place of holding district courts.

ARTICLE VIII. No license to trade in goods, wares, or merchandise *merchandise* shall be granted by the United States to trade in the Cherokee nation, unless approved by the Cherokee national council, except in the Canadian district, and such other district north of Arkansas river and west of Grand river occupied by the so-called southern Cherokees, as provided in Article IV. of this treaty.

ARTICLE IX. The Cherokee nation having, voluntarily, in February, eighteen hundred and sixty-three, by an act of their national council, forever abolished slavery, hereby covenant and agree that never hereafter shall either slavery or involuntary servitude exist in their nation otherwise than in the punishment of crime, whereof the party shall have been duly convicted, in accordance with laws applicable to all the members of said tribe alike. They further agree that all freedmen who have been liberated by voluntary act of their former owners or by law, as well as all free colored persons who were in the country at the commencement of the rebellion, and are now residents therein, or who may return within six months, and their descendants, shall have all the rights of native Cherokees: *Provided*, That owners of slaves so emancipated in the Cherokee nation shall never receive any compensation or pay for the slaves so emancipated.

ARTICLE X. Every Cherokee and freed person resident in the Cherokee nation shall have the right to sell any products of his farm, including his or her live stock, or any merchandise or manufactured products, and to ship and drive the same to market without restraint, paying any tax thereon which is now or may be levied by the United States on the quantity sold outside of the Indian territory.

ARTICLE XI. The Cherokee nation hereby grant a right of way not exceeding two hundred feet wide, except at stations, switches, water-stations, or crossing of rivers, where more may be indispensable to the full enjoyment of the franchise herein granted, and then only two hundred additional feet shall be taken, and only for such length as may be absolutely necessary, through all their lands, to any company or corporation which shall be duly authorized by Congress to construct a railroad from any point north to any point south, and from any point east to any point west of, and which may pass through, the Cherokee nation. Said com-

Courts.

Process.

Proviso.

Proviso.

Licenses to trade not to be granted unless, &c.

Slavery, &c. not to exist.

Freedmen.

No pay for emancipated slaves.

Farm products may be sold, &c.

Right of way for railroads.

pany or corporation, and their employés and laborers, while constructing and repairing the same, and in operating said road or roads, including all necessary agents on the line, at stations, switches, water-tanks, and all others necessary to the successful operation of a railroad, shall be protected in the discharge of their duties, and at all times subject to the Indian intercourse laws, now or which may hereafter be enacted and be in force in the Cherokee nation.

General council.

ARTICLE XII. The Cherokees agree that a general council, consisting of delegates elected by each nation or tribe lawfully residing within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as hereinafter prescribed.

Census.

First. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census or enumeration of each tribe lawfully resident in said territory shall be taken under the direction of the commissioner of Indian affairs, who for that purpose is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior, and paid by the United States.

First general council, how composed.

Second. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be selected by said tribes respectively, who may assent to the establishment of said general council; and if none should be thus formally selected by any nation or tribe so assenting, the said nation or tribe shall be represented in said general council by the chief or chiefs and headmen of said tribes, to be taken in the order of their rank as recognized in tribal usage, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe assenting to the establishment of such council the number of members of such council to which they shall be entitled under the provisions of this article, and the persons entitled to represent said tribes shall meet at such time and place as he shall approve; but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided*, That no session in any one year shall exceed the term of thirty days: *And provided*, That special sessions of said council may be called by the Secretary of the Interior whenever in his judgment the interest of said tribes shall require such special session.

Time and place of first meeting.
Sessions not to exceed 30 days.
Special sessions.

Powers of general council.

Third. Said general council shall have power to legislate upon matters pertaining to the intercourse and relations of the Indian tribes and nations and colonies of freedmen resident in said territory; the arrest and extradition of criminals and offenders escaping from one tribe to another, or into any community of freedmen; the administration of justice between members of different tribes of said territory and persons other than Indians and members of said tribes or nations; and the common defence and safety of the nations of said territory.

Laws, when to take effect.

All laws enacted by such council shall take effect at such time as may therein be provided, unless suspended by direction of the President of the United States. No law shall be enacted inconsistent with the Constitution of the United States, or laws of Congress, or existing treaty stipulations with the United States. Nor shall said council legislate upon matters other than those above indicated: *Provided, however*, That the legislative power of such general council may be enlarged by the consent of the national council of each nation or tribe assenting to its establishment, with the approval of the President of the United States.

Legislative power may be enlarged.

President of council.

Fourth. Said council shall be presided over by such person as may be designated by the Secretary of the Interior.

Fifth. The council shall elect a secretary, whose duty it shall be to keep an accurate record of all the proceedings of said council, and who shall transmit a true copy of all such proceedings, duly certified by the presiding officer of such council, to the Secretary of the Interior, and to each tribe or nation represented in said council, immediately after the sessions of said council shall terminate. He shall be paid out of the treasury of the United States an annual salary of five hundred dollars.

Secretary of council.

Pay.

Sixth. The members of said council shall be paid by the United States the sum of four dollars per diem during the term actually in attendance on the sessions of said council, and at the rate of four dollars for every twenty miles necessarily travelled by them in going from and returning to their homes, respectively, from said council, to be certified by the secretary and president of the said council.

Pay of members of council.

ARTICLE XIII. The Cherokees also agree that a court or courts may be established by the United States in said territory, with such jurisdiction and organized in such manner as may be prescribed by law: *Provided*, That the judicial tribunals of the nation shall be allowed to retain exclusive jurisdiction in all civil and criminal cases arising within their country in which members of the nation, by nativity or adoption, shall be the only parties, or where the cause of action shall arise in the Cherokee nation, except as otherwise provided in this treaty.

Courts.

ARTICLE XIV. The right to the use and occupancy of a quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions in one body, and to include their improvements, and not including the improvements of any member of the Cherokee nation, is hereby granted to every society or denomination which has erected, or which with the consent of the national council may hereafter erect, buildings within the Cherokee country for missionary or educational purposes. But no land thus granted, nor buildings which have been or may be erected thereon, shall ever be sold or [o]therwise disposed of except with the consent and approval of the Cherokee national council and of the Secretary of the Interior. And whenever any such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied by said society or societies for like purposes within said nation, subject to the approval of the Secretary of the Interior.

Lands for missionary or educational purposes;

not to be sold, except, &c.;

proceeds of sale.

ARTICLE XV. The United States may settle any civilized Indians, friendly with the Cherokees and adjacent tribes, within the Cherokee country, on unoccupied lands east of 96°, on such terms as may be agreed upon by any such tribe and the Cherokees, subject to the approval of the President of the United States, which shall be consistent with the following provisions, viz: Should any such tribe or band of Indians settling in said country abandon their tribal organization, there being first paid into the Cherokee national fund a sum of money which shall sustain the same proportion to the then existing national fund that the number of Indians sustain to the whole number of Cherokees then residing in the Cherokee country, they shall be incorporated into and ever after remain a part of the Cherokee nation, on equal terms in every respect with native citizens. And should any such tribe, thus settling in said country, decide to preserve their tribal organizations, and to maintain their tribal laws, customs, and usages, not inconsistent with the constitution and laws of the Cherokee nation, they shall have a district of country set off for their use by metes and bounds equal to one hundred and sixty acres, if they should so decide, for each man, woman, and child of said tribe, and shall pay for the same into the national fund such price as may be agreed on by them and the Cherokee nation, subject to the approval of the President of the United States, and in cases of disagreement the price to be fixed by the President.

The United States may settle civilized Indians in the Cherokee country.

How may be made part of Cherokee nation.

Those wishing to preserve tribal organization, to have land set off to them;

And the said tribe thus settled shall also pay into the national fund a sum of money, to be agreed on by the respective parties, not greater in proportion to the whole existing national fund and the probable proceeds

to pay sum into national fund.

Limits of places of settlement.

of the lands herein ceded or authorized to be ceded or sold than their numbers bear to the whole number of Cherokees then residing in said country, and thence afterwards they shall enjoy all the rights of native Cherokees. But no Indians who have no tribal organizations, or who shall determine to abandon their tribal organizations, shall be permitted to settle east of the 96° of longitude without the consent of the Cherokee national council, or of a delegation duly appointed by it, being first obtained. And no Indians who have and determine to preserve their tribal organizations shall be permitted to settle, as herein provided, east of the 96° of longitude without such consent being first obtained, unless the President of the United States, after a full hearing of the objections offered by said council or delegation to such settlement, shall determine that the objections are insufficient, in which case he may authorize the settlement of such tribe east of the 96° of longitude.

Where the United States may settle friendly Indians.

ARTICLE XVI. The United States may settle friendly Indians in any part of the Cherokee country west of 96°, to be taken in a compact form in quantity not exceeding one hundred and sixty acres for each member of each of said tribes thus to be settled; the boundaries of each of said districts to be distinctly marked, and the land conveyed in fee simple to each of said tribes to be held in common or by their members in severalty as the United States may decide.

Lands.

Said lands thus disposed of to be paid for to the Cherokee nation at such price as may be agreed on between the said parties in interest, subject to the approval of the President; and if they should not agree, then the price to be fixed by the President.

Possession and jurisdiction over such lands.

The Cherokee nation to retain the right of possession of and jurisdiction over all of said country west of 96° of longitude until thus sold and occupied, after which their jurisdiction and right of possession to terminate forever as to each of said districts thus sold and occupied.

Cession of lands to the United States in trust.

ARTICLE XVII. The Cherokee nation hereby cedes, in trust to the United States, the tract of land in the State of Kansas which was sold to the Cherokees by the United States, under the provisions of the second article of the treaty of 1835; and also that strip of the land ceded to the nation by the fourth article of said treaty which is included in the State of Kansas, and the Cherokees consent that said lands may be included in the limits and jurisdiction of the said State.

Lands to be surveyed and appraised;

The lands herein ceded shall be surveyed as the public lands of the United States are surveyed, under the direction of the commissioner of the general land office, and shall be appraised by two disinterested persons, one to be designated by the Cherokee national council and one by the Secretary of the Interior, and, in case of disagreement, by a third person, to be mutually selected by the aforesaid appraisers. The appraisement to be not less than an average of one dollar and a quarter per acre, exclusive of improvements.

may be sold to highest bidder.

And the Secretary of the Interior shall from time to time, as such surveys and appraisements are approved by him, after due advertisements for sealed bids, sell such lands to the highest bidders for cash in parcels not exceeding one hundred and sixty acres, and at not less than the appraised value: *Provided*, That whenever there are improvements of the

Improvements.

value of fifty dollars made on the lands not being mineral, and owned and personally occupied by any person for agricultural purposes at the date of the signing hereof, such person so owning, and in person residing on such improvements, shall, after due proof, made under such regulations as the Secretary of the Interior may prescribe, be entitled to buy, at the appraised value, the smallest quantity of land in legal subdivisions which will include his improvements, not exceeding in the aggregate one hundred and sixty acres; the expenses of survey and appraisement to be paid by the Secretary out of the proceeds of sale of said land: *Provided*, That nothing in this article shall prevent the Secretary of the Interior from selling the

Proviso.

whole of said neutral lands in a body to any responsible party, for cash, for a sum not less than eight hundred thousand dollars.

Amendment.
Post, p. 123.

ARTICLE XVIII. That any lands owned by the Cherokees in the State of Arkansas and in States east of the Mississippi may be sold by the Cherokee nation in such manner as their national council may prescribe, all such sales being first approved by the Secretary of the Interior.

Sales by Cherokees of lands in Arkansas.

ARTICLE XIX. All Cherokees being heads of families residing at the date of the ratification of this treaty on any of the lands herein ceded, or authorized to be sold, and desiring to remove to the reserved country, shall be paid by the purchasers of said lands the value of such improvements, to be ascertained and appraised by the commissioners who appraise the lands, subject to the approval of the Secretary of the Interior; and if he shall elect to remain on the land now occupied by him, shall be entitled to receive a patent from the United States in fee simple for three hundred and twenty acres of land to include his improvements, and thereupon he and his family shall cease to be members of the nation.

Heads of families.

ARTICLE XX. Whenever the Cherokee national council shall request it, the Secretary of the Interior shall cause the country reserved for the Cherokees to be surveyed and allotted among them, at the expense of the United States.

Lands reserved to be surveyed and allotted.

ARTICLE XXI. It being difficult to learn the precise boundary line between the Cherokee country and the States of Arkansas, Missouri, and Kansas, it is agreed that the United States shall, at its own expense, cause the same to be run as far west as the Arkansas, and marked by permanent and conspicuous monuments, by two commissioners, one of whom shall be designated by the Cherokee national council.

Boundary line to be run and marked.

ARTICLE XXII. The Cherokee national council, or any duly appointed delegation thereof, shall have the privilege to appoint an agent to examine the accounts of the nation with the government of the United States at such time as they may see proper, and to continue or discharge such agent, and to appoint another, as may be thought best by such council or delegation; and such agent shall have free access to all accounts and books in the executive departments relating to the business of said Cherokee nation, and an opportunity to examine the same in the presence of the officer having such books and papers in charge.

Agent of Cherokees to examine accounts, books, &c.

ARTICLE XXIII. All funds now due the nation, or that may hereafter accrue from the sale of their lands by the United States as hereinbefore provided for, shall be invested in United States registered stocks at their current value, and the interest on all said funds shall be paid semi-annually on the order of the Cherokee nation, and shall be applied to the following purposes, to wit: Thirty-five per cent shall be applied for the support of the common schools of the nation and educational purposes; fifteen per cent for the orphan fund, and fifty per cent for general purposes, including reasonable salaries of district officers; and the Secretary of the Interior, with the approval of the President of the United States, may pay out of the funds due the nation, on the order of the national council or a delegation duly authorized by it, such amount as he may deem necessary to meet outstanding obligations of the Cherokee nation, caused by the suspension of the payment of their annuities, not to exceed the sum of one hundred and fifty thousand dollars.

Funds, how to be invested.

Interest, how to be paid.

ARTICLE XXIV. As a slight testimony for the useful and arduous services of the Rev. Evan Jones, for forty years a missionary in the Cherokee nation, now a cripple, old and poor, it is agreed that the sum of three thousand dollars be paid to him, under the direction of the Secretary of the Interior, out of any Cherokee fund in or to come into his hands not otherwise appropriated.

Payment to Rev. Evan Jones.

ARTICLE XXV. A large number of the Cherokees who served in the army of the United States having died, leaving no heirs entitled to receive bounties and arrears of pay on account of such service, it is agreed that

Bounties and arrears for services as Indian

volunteers, how to be paid.

all bounties and arrears for service in the regiments of Indian United States volunteers which shall remain unclaimed by any person legally entitled to receive the same for two years from the ratification of this treaty, shall be paid as the national council may direct, to be applied to the foundation and support of an asylum for the education of orphan children, which asylum shall be under the control of the national council, or of such benevolent society as said council may designate, subject to the approval of the Secretary of the Interior.

Possession and protection guaranties.

ARTICLE XXVI. The United States guarantee to the people of the Cherokee nation the quiet and peaceable possession of their country and protection against domestic feuds and insurrections and against hostilities of other tribes. They shall also be protected against inter[r]uptions or intrusion from all unauthorized citizens of the United States who may attempt to settle on their lands or reside in their territory. In case of hostilities among the Indian tribes, the United States agree that the party or parties commencing the same shall, so far as practicable, make reparation for the damages done.

Military posts in Cherokee nation.

ARTICLE XXVII. The United States shall have the right to establish one or more military posts or stations in the Cherokee nation, as may be deemed necessary for the proper protection of the citizens of the United States lawfully residing therein and the Cherokees and other citizens of the Indian country. But no sutler or other person connected therewith, either in or out of the military organization, shall be permitted to introduce any spirit[u]ous, vinous, or malt liquors into the Cherokee nation, except the medical department proper, and by them only for strictly medical purposes. And all persons not in the military service of the United States, not citizens of the Cherokee nation, are to be prohibited from coming into the Cherokee nation, or remaining in the same, except as herein otherwise provided; and it is the duty of the United States Indian agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the nation, as they now are, or hereafter may be, required by the Indian intercourse laws of the United States.

Spirituuous, &c. liquors forbidden, except, &c.

Certain persons prohibited from coming into the nation.

Payment for certain provisions and clothing.

ARTICLE XXVIII. The United States hereby agree to pay for provisions and clothing furnished the army under Appotholehala in the winter of 1861 and 1862, not to exceed the sum of ten thousand dollars, the accounts to be ascertained and settled by the Secretary of the Interior.

Expenses of Cherokee delegations.

ARTICLE XXIX. The sum of ten thousand [dollars,] or so much thereof as may be necessary to pay the expenses of the delegates and representatives of the Cherokees invited by the government to visit Washington for the purposes of making this treaty, shall be paid by the United States on the ratification of this treaty.

Amendment.
Post, p. 123.

Payment of certain losses by missionaries, &c.

ARTICLE XXX. The United States agree to pay to the proper claimants all losses of property by missionaries or missionary societies, resulting from their being ordered or driven from the country by United States agents, and from their property being taken and occupied or destroyed by United States troops, not exceeding in the aggregate twenty thousand dollars, to be ascertained by the Secretary of the Interior.

Inconsistent treaty provisions annulled.

ARTICLE XXXI. All provisions of treaties, heretofore ratified and in force, and not inconsistent with the provisions of this treaty, are hereby reaffirmed and declared to be in full force; and nothing herein shall be construed as an acknowledgment by the United States, or as a relinquishment by the Cherokee nation of any claims or demands under the guaranties of former treaties, except as herein expressly provided.

Execution.

In testimony whereof, the said commissioners on the part of the United States, and the said delegation on the part of the Cherokee nation, have hereunto set their hands and seals, at the city of Washington, this *ninth* [nineteenth] day of July, A. D. one thousand eight hundred and sixty-six.

D. N. COOLEY, *Com'r Ind. Affairs.*
 ELIJAH SELLS, *Sup't Ind. Affs.*
 SMITH CHRISTIE,
 WHITE CATCHER,
 JAMES McDANIEL,
 S. H. BENGE,
 DANL. H. ROSS,
 J. B. JONES.

*Delegates of the Cherokee Nation, appointed by Resolution
 of the National Council.*

In presence of —

W. H. WATSON,
 J. W. WRIGHT.

Signatures witnessed by the following-named persons, the following interlineations being made before signing: On page 1st the word "the" interlined, on page 11 the word "the" struck out, and to said page 11 a sheet attached requiring publication of laws; and on page 34th the word "ceded" struck out and the words "neutral lands" inserted. Page 47½ added relating to expenses of treaty.

THOMAS EWING, JR.,
 WM. A. PHILLIPS,
 J. W. WRIGHT.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-seventh day of July, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, by a resolution in the words and figures following, to wit: —

Ratification
 with amend-
 ments.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 July 27, 1866.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made at the city of Washington, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, between the United States and the Cherokee nation of Indians, with the following

AMENDMENTS:

1st. Insert at the end of Article II. the following: —

Ante, p. 115.

But the Cherokee nation stipulate and agree to deliver up to the United States, or their duly authorized agent, any or all public property, particularly ordnance, ordnance stores, arms of all kinds, and quartermasters' stores, in their possession or control, which belonged to the United States or the so-called confederate states, without any reservation.

2d. Strike out the last proviso in Article XVII. and insert in lieu thereof the following: —

Ante, p. 121.

Provided, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said lands not occupied by actual settlers at the date of the ratification of this treaty, not exceeding one hundred and sixty acres to each person entitled to pre-emption under the pre-emption laws of the United States, in a body, to any responsible party, for cash, for a sum not less than one dollar per acre.

3d. Insert at the end of Article XXIX. the following: —

Ante, p. 122.

And the Secretary of the Interior shall also be authorized to pay the reasonable costs and expenses of the delegates of the southern Cherokees.

TREATY WITH THE CHEROKEE INDIANS. JULY 19, 1866.

The moneys to be paid under this article shall be paid out of the proceeds of the sales of the national lands in Kansas.

Attest:

J. W. FORNEY, *Secretary.*

Amendments
assented to.

And whereas the foregoing amendments having been fully explained and interpreted to the aforementioned delegates of the Cherokee nation, they did, on the thirty-first day of July, one thousand eight hundred and sixty-six, give, on behalf of said nation, their free and voluntary assent to said amendments, in the words and figures following, to wit:—

Whereas the Senate of the United States did, on the twenty-seventh day of July, eighteen hundred and sixty-six, advise and consent to the ratification of the articles of agreement and convention, made at the city of Washington, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-six, between the United States and the Cherokee nation of Indians, with the following

AMENDMENTS, to wit:—

1st. Insert at the end of Article II. the following:—

But the Cherokee nation stipulate and agree to deliver up to the United States, or their duly authorized agent, any or all public property, particularly ordnance, ordnance stores, arms of all kinds, and quartermasters' stores, in their possession or control, which belonged to the United States or the so-called confederate states, without any reservation.

3d. Strike out the last proviso in Article XVII. and insert in lieu thereof the following:—

Provided, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said lands not occupied by actual settlers at the date of the ratification of this treaty, not exceeding one hundred and sixty acres to each person entitled to pre-emption under the pre-emption laws of the United States, in a body, to any responsible party, for cash, for a sum not less than one dollar per acre.

3d. Insert at the end of Article XXIX. the following:—

And the Secretary of the Interior shall also be authorized to pay the reasonable costs and expenses of the delegates of the southern Cherokees.

The moneys to be paid under this article shall be paid out of the proceeds of the sales of the national lands in Kansas.

Now, therefore, we, the delegates on the part of the said Cherokee nation, do hereby assent and agree to the said amendments above written, the same having been explained to us and being fully understood by us.

Witness our hands and seals, this thirty-first day of July, A. D. eighteen hundred and sixty-six, at Washington, D. C.

SMITH CHRISTIE.	[SEAL.]
WHITE CATCHER.	[SEAL.]
JAMES McDANIEL.	[SEAL.]
S. H. BENGE.	[SEAL.]
DANL. H. ROSS.	[SEAL.]
J. B. JONES.	[SEAL.]

In presence of—

D. N. COOLEY, *Com'r Ind. Affairs.*
J. HARLAN, *U. S. Ind. Agent.*
CHARLES E. MIX,
J. W. WRIGHT,
W. R. IRWIN.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-seventh of July, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid. Proclaimed.

In testimony whereof I have signed my name hereto, and have caused the seal of the United States to be affixed.

Done at the city of Washington, this eleventh day of August,
in the year of our Lord one thousand eight hundred and
[SEAL.] sixty-six and of the Independence of the United States of
America the ninety-first.

ANDREW JOHNSON.

By the President:

HENRY STANBERY, *Acting Secretary of State.*

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